

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

**MWK RECRUITING, INC,**

Plaintiff

v.

**EVAN P. JOWERS,**

Defendants

**Case No. 1:18-cv-00444-RP**

**DECLARATION OF ROBERT E. KINNEY**

I, Robert E. Kinney, declare as follows:

1. My name is Robert E. Kinney. I am of sound mind, I am capable of making this declaration (“**Declaration**”), and I have personal knowledge of the facts stated in this Declaration. All the facts stated in this Declaration are true and correct. I am over 21 years of age and have never been convicted of a felony or a crime of moral turpitude in any jurisdiction.

2. I am a 1993 graduate of the University of Pennsylvania, where I earned a BA in International Relations and German Literature. I am also a 1996 graduate of the University of Texas School of Law. Following law school, I joined Royston, Rayzor, Vickery & Williams, an admiralty boutique firm in Houston, Texas, where I practiced litigation predominately in federal court for almost two years. During that time, I was fortunate to be able to take and defend more than 30 depositions and handle dispositive motions with minimal supervision on several cases. In late 1998, I joined Bracewell & Patterson, where I focused on corporate and securities work. I then joined the Austin office of Brobeck, Phleger & Harrison LLP in March 2000, remaining there as an associate until November 2001. Following Brobeck, I had a full time mixed practiced of corporate and litigation work before beginning to work primarily as a legal recruiter in May 2002.

3. After starting work as a legal recruiter in 2002 and founding Kinney Recruiting in 2004, I have remained actively licensed as an attorney. I currently maintain active law licenses in Texas and New York, and I have used my law license and legal training consistently to handle both the legal matters (including litigation) that my company has from time to time and to handle outside litigation matters. In recent years, I have handled several personal injury matters, usually pro-bono personal injury matters for claimants whose damages are real but not significant enough to interest traditional law firms.

4. As a result of my experience as an attorney over the 26 years since I was licensed, I believe that my litigation skills and experience are roughly in line with the skills and experience of attorneys who have been licensed for ten or more years and fully engaged in work as an attorney on contentious matters. I have often met attorneys who have less experience in depositions and trials than I do who have been licensed and active as “litigators” far longer than I have been.

5. In addition to my legal training, I now also have approximately twenty years of experience as a legal recruiter. At least for the last twelve to fourteen years, my legal recruiting practice has primarily involved evaluating and orchestrating partner and group moves from one law firm to the other. I do this work in several markets, including Austin, Texas, where I live. A key component of these moves is an economic evaluation of the partners’ practices, and this involves an understanding of the rates generally charged, including looking at the skillsets and rates charged and collected by the more junior attorney team members. My company also employs approximately ten other recruiters, many of whom focus their practices on recruiting and placing associates. I am familiar with and sometimes involved in those associate placements as well. Through this work, I learn about billing rates that prevail in Austin and other major legal markets.

6. For a concrete example of billing rates for litigation attorneys in Austin, in 2021, I was involved in the placement of an attorney group in Austin which included litigation attorneys practicing predominately in federal court whose hourly rates ranged (for 2017-2020) from \$450/hour for the most junior associate to over \$1,200 per hour for the most senior partner. Not long after joining their new firm, the rates were elevated significantly. “National rates” at Amlaw 30 firms, including in Austin, now are approaching \$2,000 per hour for the highest paid lawyers, including litigation attorneys.

7. I have direct knowledge of the billing rates of attorneys who work predominately in Austin, including for work on cases such as our case against Mr. Jowers, the rates that would be charged range from \$350/hour for the most junior attorneys to \$800/hour for partners with 15+ years of experience. For an attorney with my skill and experience handling a case such as the present one, I believe \$500/hour is a reasonable rate in the Austin community.

8. Pursuant to the Court's Scheduling Order, Dkt. 98, MWK was required to submit a written settlement offer to Mr. Jowers. On November 15, 2019, MWK submitted a written settlement offer in which MWK offered to settle this case for \$750,000. Mr. Jowers rejected the offer and demanded that MWK pay him \$300,000 instead. A true and correct copy of the correspondence related to this offer and the Jowers counteroffer is attached hereto as **Exhibit 1**.

9. Based on the evidence submitted at trial and used by the Court to award damages, as of the date that MWK offered to settle the case for \$750,000, November 15, 2019, Jowers had already earned fees for placement of candidates in violation of his duties in an aggregate amount far exceeding \$750,000.

10. After the Court granted MWK's first Motion to Compel Jowers to comply with his discovery obligations, I was hopeful that we would obtain the evidence we needed from Jowers. Instead, Jowers substituted in new counsel, Robert Tauler, who sent the production of documents that was ostensibly in compliance with the Court's Order compelling Jowers to produce them. That production (and all future productions) contained none of the email messages from Jowers's private email address, some of which we already had obtained via third party discovery. When we inquired about this deficiency with Mr. Tauler, he began the saga of discovery motions that is catalogued in Judge Austin's Order dated December 18, 2020. (Dkt. 243). Counsel for MWK soon realized that we would never be able to obtain the information we needed from Jowers while he

was filing motion after groundless motion. To seek intervention by the Court during that onslaught by Jowers could have caused the Court to become frustrated with MWK as well as Jowers. So, MWK instead decided to obtain the necessary evidence on placements by Jowers from third party law firms who had worked with Jowers and render the evidence produced into a form admissible for trial by using depositions by written questions. This strategy was successful. I believe no other strategy would have worked under the circumstances. I also believe that the method was relatively efficient in that we did not need to engage in further motion practice with the Court, except in order to fend off the motions being filed by Jowers and the dispositive motions.

11. Jowers never complied with the Court's Order on MWK's Motion to Compel issued April 25, 2020. The Court had ordered Jowers to "respond to Interrogatory No. 1 and the related RFP in full for the period December 16, 2016, to December 16, 2017." (Dkt. 168, at 7). Interrogatory No. 1 sought an identification of each attorney placement Jowers had made through December 16, 2017. The associated RFP asked Jowers to produce "all documents related to Placements identified in response to Interrogatory Number 1." Although Jowers did produce a list of placements through December 17, 2016, he did not produce the documents related to those placements. We knew about missing email because of the third-party production we had received from Latham & Watkins. Jowers had even produced email messages that he should have known we already had from Latham & Watkins regarding candidate Steve Kang. When I attempted to meet and confer with Mr. Tauler about this matter, he accused me of violating the Court's protective order and began filing his discovery motions. The exchange with Mr. Tauler about the missing Steve Kang email is detailed in a declaration I filed in response to one of Jowers's motions. (See Dkt. 182-1, REK Decl., at ¶11).

12. At the trial of this case, when questioned about his failure to produce documents, Mr. Jowers blamed his attorneys at DLA Piper and Tauler Smith for any failure to produce those documents. (*See* Tr. II, at 82-85).

13. The discovery period in this case closed on February 14, 2021. On that date, Jowers finally produced a list of candidate placements. A true and correct copy of the interrogatory response sent by Jowers which was received from his attorneys is attached hereto as Exhibit 2. On or about February 14, 2021, Jowers (through Mr. Tauler's firm) also produced documents, but again none of those documents were emails about the candidates from his personal email address; he did not even produce the emails we had already received from third parties. With no knowledge of the new placements listed prior to the day that discovery closed, MWK could not prove up its damages on the other candidates. Jowers, or at least his attorneys, must have known that obtaining the necessary evidence to prove its damages on the newly disclosed placements would have been nearly impossible. I believe that it was the strategy of Jowers's attorneys and Jowers himself to obfuscate and attempt to prevent MWK from proving its case from the beginning. At trial, Jowers did not hesitate to brag that MWK had not been able to find out about all of his placement activity. Presented at trial with MWK's evidence that he had made 53 placements, Jowers testified, "you guys are off. I've made a lot more than 53. I've made 79 this year." (Tr. II, at 81).

14. With regard to the loans at issue in this case, as the Court observed in its findings and conclusions, Jowers never offered his own accounting or any competent defense regarding his obligations. (FF&CL, Dkt. 344, at 41). Nevertheless, I estimate that at least 200 hours of my time spent working on this case was related to dealing with Jowers and his counsels' efforts to muddy the waters related to the loans. Using my time records I could derive a specific estimate if the Court desires.

15. The task of prosecuting the claims against Mr. Jowers was made dramatically more difficult by the unreasonable approach of opposing counsel in this case. The counterclaims brought by Mr. Jowers, including RICO and fraud counterclaims, were invalid on their face, yet they were used by Mr. Jowers's counsel to attempt to justify harassing discovery requests. I estimate that I spent at least 200 hours dealing specifically with the discovery burden brought on by these claims and on the FRCP 12(c) Motion to Dismiss.

16. Judge Austin has already found that the discovery related motions filed by Jowers and Tauler were unreasonable and harassing, and that Mr. Tauler did not make "a reasonable, good faith effort to address the issues with opposing counsel" before filing ten different motions. (Dkt. 236, at 3). According to the Court's Order, none of the motions would have been necessary. *Id.*

17. I believe that, based on the foregoing, that Jowers and his attorneys unreasonably multiplied the proceedings this case by pleading the case in a manner that was completely unsupportable, by using those pleadings to increase the burden of the discovery in the case, and then by refusing to produce evidence which MWK was entitled to obtain from Jowers, instead forcing MWK to seek that evidence from its clients. Approximately 500 hours of my time was spent on the efforts related to third party discovery, including depositions on written questions.

18. For my work representing MWK on this case, I worked for the Law Offices of Robert E Kinney, Attorney at Law, and I directly supervised Jennifer E. Thompson and Tristan Loanzon, who were attorneys working for me, as well as John Jaworski and Matthew Gardiner, who served as paralegals on this case. Ms. Thompson and Mr. Loanzon have submitted their own declarations regarding the time they worked and their qualifications.

19. My timekeeping records in this case are attached to this Declaration as Exhibit 3. In preparing my time statements, I took contemporaneous notes of my activities related to investigating and prosecuting Mr. Jowers since the day Mr. Jowers resigned from Kinney Recruiting LLC. I recorded each of my activities on the case myself, writing down only the time I spent on the matters involved. I also regularly and contemporaneously collected the billing records of the attorneys and paralegals who reported to me. I have personal knowledge that the time reported for Mr. Jaworski and Mr. Gardiner and I have attached the records of their timekeeping as **Exhibit 4** and **Exhibit 5**, respectively. These records are an accurate reflection of the time they worked and the tasks they performed.

20. In preparing the instant fee application, I went through the time I had recorded and eliminated all entries that were related to work on prosecuting the claims against Yuliya Vinokurova, Alejandro Vargas, and Legis Ventures (HK) Company Limited, each of which was dismissed by the Court prior to answering. I also did not include any time entries related to seeking or obtaining the antisuit injunction which temporarily stopped Jowers's defamation case in Hong Kong, nor did I include time spent on the appeal of that injunction. By eliminating these charges, I eliminated approximately 200 hours of my time reasonably and necessarily spent working on the case. I also spent significant additional time working on this case that I did not record. I estimate that I spent at least 1,000 hours of unrecorded in conferences and doing research. In total, the reasonable and necessary hours I spent on other matters in this case for which fees are recoverable working for MWK were 1,988.00 hours.

21. Jennifer Thompson is a 1995 graduate of the University of Texas School of Law with a JD and she was a 1992 graduate of the University of Texas Plan II Honors program. Ms. Thompson practiced following law school for more than five years as a litigation associate with



Shook, Hardy & Bacon LLP in Kansas City, Missouri. Thereafter, she practiced for more than five years as Assistant General Counsel at a Fortune 500 manufacturing company, and then as Counsel at Fulbright & Jaworski's office in Austin, Texas, where her practiced focused on real estate and litigation. Ms. Thompson is presently an Assistant General Counsel at the Office of General Counsel of the University of Texas System. Based on my experience, the type of litigation involved, prior awards by the Court in similar cases, and Ms. Thompson's specific role in this case assisting with discovery and issues briefing, as well as other relevant factors, I believe that \$475/hour is a reasonable hourly rate for the services of Ms. Thompson. I also believe that the 88.6 hours sought in the instant Fee Application for Ms. Thompson's work were hours that were reasonable and necessary for the tasks she performed.

22. Our team was also assisted by Tristan Loanzon. Mr. Loanzon is a graduate of Northwestern University School of Law and an experienced trial lawyer who has been licensed to practice since 1997. Mr. Loanzon's experience is further elaborated in his declaration submitted in connection with this Fee Application. He has significant "Biglaw" experience. Based on my experience, Mr. Loanzon's role, as well as the other relevant factors used in the lodestar analysis, I believe that the 37.5 hours recorded by Mr. Loanzon were reasonable and necessary for the tasks he performed and that the requested rate of \$600 per hour would be a reasonable rate for Mr. Loanzon's work in the Austin, Texas legal community.

23. I was also assisted by John Jaworski and Matthew Gardiner who served as paralegals on this case in assisting with preparation for trial. Both Mr. Jaworski and Mr. Gardiner are college graduates with significant technical and organizational skills. Their efforts to assist with document production and organization were pivotal to the success of this case. I believe that \$150/hour for their time is a reasonable rate, much lower than is often charged for paralegal help

by large firms, and that the 160 hours they worked on this matter collectively were reasonable hours and necessarily worked.

24. Raymond Mort and Zachary Elias of the Mort Law Firm, PLLC also assisted in this case. Both have separately submitted declarations regarding their work on this case and their qualifications. Mr. Mort has practiced with top law firms and Mr. Elias is a first-year associate with strong academics who has experience interning with a federal judge.

25. The expenses detailed in the attached Exhibit 6 are a true and correct listing of the expenses incurred by MWK in connection with prosecution of the claims for breach of contract in this case. The total, \$19,515.32 was reasonable and necessarily spent in order to effect service of subpoenas, conduct depositions, and host documents on a digital document database. Specifically, the charges related to Digital Warroom are document management charges specifically incurred for housing the documents produced in this case. The transcript charges from Planet Depos represent the transcripts and deposition charges incurred for the 14 depositions by written questions and the deposition of Alexis Lamb. The remaining charges are for service of process on Evan Jowers and for service of subpoenas on various witnesses. The transcripts were all necessarily obtained for use at trial or thereafter.

26. Based on all of the foregoing, I believe that given the nature of the claims asserted, the results achieved, and the time frame within which the services were provided, a reasonable number of hours were expended in connection with provision of services to MWK (now Counsel Holdings, Inc.) by myself, Jennifer Thompson, Tristan Loanzon, John Jaworski, and Matthew Gardiner. Specifically, it is my opinion that 1,988.00 hours at \$500/hour (\$994,000) of my work, that 37.5 hours at \$600/hour (\$22,500) of Tristan Loanzon's work, that 88.6 hours at \$475/hour (\$42,085) of Jennifer Thompson's work, that 146.5 hours at \$150/hour (\$21,975), and that 13.5

hours at \$150 of Matthew Gardiner's work were reasonably spent prosecuting this case on behalf Counsel Holdings, Inc., and that the Court should award these amounts as attorney fees.

27. Today, through a wire service, I received a copy of a petition apparently filed by Mr. Jowers in state court against me and MWK Recruiting, Inc. for "unfair debt collection" practices. A true and correct copy is attached hereto as **Exhibit 7**. The petition appears to allege that, by contacting Mr. Jowers's attorneys to let them know that we will not permit Mr. Jowers to fraudulently transfer assets to third parties such as his mother, we were engaging in illegal debt collection. There is no rational basis for the suit on an initial review, and there certainly is no basis for jurisdiction over me in Florida on a suit related to Jowers's employment relationship with MWK. This appears to be just more of the same sort of tactic they have always by Jowers and his attorney, Mr. Tauler.

28. Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct.

29. Executed on October 3, 2022.

/s/ Robert E Kinney  
Robert E. Kinney

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## Written Settlement Offer - Jowers

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**Bookhout, James** <james.bookhout@dlapiper.com>

Wed, Dec 18, 2019 at 2:06 PM

To: Robert Kinney <robert@kinneyrecruiting.com>, "Katz, Marc" <marc.katz@dlapiper.com>

Cc: "raymort@austinlaw.com" <raymort@austinlaw.com>, "Katz, Marc" <marc.katz@dlapiper.com>, "Lloyd, John" <john.lloyd@dlapiper.com>

Robert,

Although I think this was clear from our written offer of settlement on December 5, we respectfully decline the offer below. In particular, we do not see how you have even alleged any amount close to \$750,000 in damages in your live pleading. There is no apparent basis for the request below, even under your view of the facts. As you know, our position is that your claims are without merit, and that it is you and your co-defendants that owe funds to Mr. Jowers for the actions described in the Counterclaim. Therefore, we do not see this as a reasonable offer.

Hope you have a good holiday season.

**James C. Bookhout**

Associate

T +1 214.743.4549

E [james.bookhout@dlapiper.com](mailto:james.bookhout@dlapiper.com)



DLA Piper LLP (US)  
1900 North Pearl Street

Suite 2200  
Dallas, Texas 75201  
United States  
[www.dlapiper.com](http://www.dlapiper.com)

**From:** Robert Kinney <[robert@kinneyrecruiting.com](mailto:robert@kinneyrecruiting.com)>

**Sent:** Friday, November 15, 2019 3:01 PM

**To:** Bookhout, James <[James.Bookhout@us.dlapiper.com](mailto:James.Bookhout@us.dlapiper.com)>; Katz, Marc <[marc.katz@us.dlapiper.com](mailto:marc.katz@us.dlapiper.com)>

**Cc:** [raymort@austinlaw.com](mailto:raymort@austinlaw.com)

**Subject:** Written Settlement Offer - Jowers

[EXTERNAL]

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James,

The next deadline in the scheduling order is for the delivery of a written offer of settlement, due from our side by December 4. Please inform Evan that we would be willing to enter into a global settlement of all our claims against him, Vargas, Vinokurova, and Jowers/Vargas, known or unknown, in exchange for a single payment of US\$750,000.00. He and Vargas would need to dismiss their claims in the US and in Hong Kong and to release us from any and all other claims they may have against any of the entities they have sued, whether known and unknown.

The Court has given your side until December 18 to respond to our offer. Please note that we will be proceeding with discovery and, barring an indication we will be able to settle on these terms, with efforts to collect the costs that were awarded by the Court in Hong Kong.

Robert

Robert E. Kinney, Esq.  
Kinney Recruiting LLC

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Cell: +1-512-636-1395  
[Robert@KinneyRecruiting.com](mailto:Robert@KinneyRecruiting.com)

[www.kinneyrecruiting.com](http://www.kinneyrecruiting.com)



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## Written Offer of Settlement of Evan P. Jowers

---

Robert Kinney <robert@kinneypc.com>

Thu, Dec 5, 2019 at 3:11 AM

To: "Bookhout, James" <james.bookhout@dlapiper.com>

Cc: "Katz, Marc" <marc.katz@dlapiper.com>, "Lloyd, John" <john.lloyd@dlapiper.com>, Robert Kinney <robert@kinneypc.com>, "raymort@austinlaw.com" <raymort@austinlaw.com>

James,

We appreciate the early response but reject the counteroffer. It's too bad Evan continues to take this tack.

Please let us know if you need any extension on the deadline for the initial discovery in view of the holidays coming up. We will be sending some additional questions and subpoenas in the coming few weeks. Hopefully we can cooperate in the production of documents in preparation for depositions in March/April.

Robert

On Thu, Dec 5, 2019 at 14:23 Bookhout, James <james.bookhout@dlapiper.com> wrote:

Counsel,

Pursuant to the Court's Scheduling Order, Evan P. Jowers makes the following written offer of settlement to Plaintiff and the Counterclaim-Defendants.

In return for a payment by Plaintiff and the Counterclaim-Defendants to Mr. Jowers in the amount of \$300,000, Mr. Jowers is willing to enter into a settlement that would include mutual releases and other customary terms. Given Mr. Jowers's damages, which include years of breached agreements to pay him earned bonuses and to reimburse him for substantial work costs and expenses, this amount is eminently reasonable. This offer is expressly made subject to the negotiation of a mutually agreeable written settlement agreement. It is not intended to be binding absent Mr. Jowers's agreement to and execution of such a written agreement.

We look forward to your response by the December 18 deadline.

James C. Bookhout  
Associate

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Robert E. Kinney, Esq.  
Attorney at Law  
Mobile: +1-512-636-1395

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**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

**MWK RECRUITING, INC.**

**Plaintiff,**

**v.**

**EVAN P. JOWERS, YULIYA  
VINOKUROVA, ALEJANDRO VARGAS,  
and LEGIS VENTURES (HK) COMPANY  
LIMITED (aka Jowers / Vargas),**

**Defendants.**

**Civil Action No. 1:18-cv-00444-RP**

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**EVAN P. JOWERS**

**Counterclaimant,**

**v.**

**MWK RECRUITING, INC., ROBERT E.  
KINNEY, MICHELLE W. KINNEY,  
RECRUITING PARTNERS GP, INC.,  
KINNEY RECRUITING LLC, COUNSEL  
UNLIMITED LLC, and KINNEY  
RECRUITING LIMITED**

**Counter-defendants.**

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**DEFENDANT/COUNTERCLAIMANT EVAN P. JOWERS'S SUPPLEMENTAL  
RESPONSES TO MWK'S FIRST REVISED SET OF INTERROGATORIES**

To: MWK Entities, by and through their attorneys, Robert E. Kinney, 824 W. 10th Street, Suite 200, Austin, Texas 78701, [robert@kinneyrecruiting.com](mailto:robert@kinneyrecruiting.com); and Raymond W. Mort, III, The Mort Law Firm, PLLC, 100 Congress Avenue, Suite 200, Austin, Texas 78701, [raymort@austinlaw.com](mailto:raymort@austinlaw.com). Tristan C. Loanzon, 1345 Avenue of the Americas, FL. 2, New York, NY 10105, [tristan@loanzon.com](mailto:tristan@loanzon.com)

Pursuant to Federal Rules of Civil Procedure 26 and 33, Evan P. Jowers ("Jowers" or "Defendant") serves his Supplemental Responses and Objections to MWK'S First (Revised) Set of Interrogatories. Discovery in this matter is ongoing, and Jowers reserves the right to supplement



and/or amend these responses, as appropriate pursuant to the Federal Rules of Civil Procedure (“Rules”) and related case law.

### **INTERROGATORIES**

#### **INTERROGATORY NO. 1**

Identify each attorney Placement in which You, Legis, or any employee or agent of Legis have participated that has occurred since December 16, 2016, including an identification of the attorney and the law firm or company office at which the attorney was placed.

#### **RESPONSE NO. 1:**

Jowers objects because this interrogatory is overly broad in that it seeks information concerning attorney placements that occurred more than one year after his employment at Kinney Recruiting Limited or any other related entity ended. For the same reason, this interrogatory is unduly burdensome because it seeks irrelevant information. Jowers also objects because neither Legis Ventures (HK) Company Limited (“**Legis**”) nor any other employee is a party to this suit, and information concerning placements made by other Legis recruiters is not relevant to any of MWK’s claims in this case. Jowers further objects to this interrogatory because it constitutes an attempt to fish into Jowers’s and Legis’s legal placements without regard to whether such placements have anything to do with this case and whether such information is relevant; Jowers will not produce information regarding any attorney or law firm or company office that could not reasonably be related to the issues in dispute in this litigation as set forth in MWK’s live pleading. Further, this interrogatory is wholly duplicative of Request for Production No. 2. Certain information responsive to this interrogatory is also protected by the attorney-client privilege and/or work product doctrine, and Jowers is therefore withholding such information. To the extent he understands this interrogatory, Jowers elects his option to produce documents from which the answer to this interrogatory may be derived or ascertained and from which the burden of ascertaining such information is substantially the same for MWK as it is for Jowers and will supplement with a specification of the responsive records. Jowers specifically refers MWK to documents that will be produced in response to MWK’s Request for Production No. 2.

#### **SUPPLEMENTAL RESPONSE NO. 1**

Objection, this Interrogatory is overly broad and duly burdensome because it seeks information that exceeds the temporal scope of the case and does not limit the time period of information sought. Objection, this Interrogatory is irrelevant to the parties’ claims and defenses, and disproportionate to the needs of the case because it seeks information that is not limited to the relevant time period of this case.

Responding Party answers as follows:

Nicole Ma	Covington & Burling
James Chang	DLA Piper

Pam Usukumah	MoFo
Jennifer Liu	Latham
Zonghua Shi	Latham
Mengqi Zhang	Weil
Judy Huang	Kirkland & Ellis
Olivia Wang	Kirkland & Ellis
Jason Lim	Cleary Gottlieb
Meng Ding	Kirkland & Ellis
Min Liu	DLA Piper
Chuan Liu	MoFo
Ben Su	Latham
Aster Lin	Latham
Jenny Qi	Simpson Thacher
Samson Peng	Latham
Cynthia Mo	Simpson Thacher
Vanessa Ho	Gunderson
Phong Quan	SEA Group
Ingram Weber	A&O
Flora Bai	Davis Polk
Raymond Chau	CFLD
Shinong Wang	Debevoise
Xunming Lim	A&O
Congsi Wu	Baker & McKenzie
Rose Zhu	Baker & McKenzie
Steve Kang	Latham
Ryan Grimm	Gunderson
Jolyn Ang	Gunderson
Christina Mao	Paul Weiss
Grace Wong	Paul Weiss
Jason Xu	Gibson Dunn
Kevin Chow	Latham
Yang Ge	DLA Piper
Jiazhen Yan	STB
Alex Ye	DLA Piper
Longhao Wang	Latham
Cecile Yang	MoFo
Christie Mok	Linklaters
Anthony Kammer	SEA Group
Amit Singh	Linklaters
Michele Discepola	Linklaters
Gillian Teo	MoFo
Calvin Soon	Linklaters
Guang Yang	Debevoise
Brian Snyder	MoFo
Valerie Wood	Gunderson
Joon Kim	Terra

Erika Tang	GDC
Eric Xu	MoFo
Brittany Chiang	Gunderson
Doug Hollins	Ropes
Melody Khorsandi	Fenwick
Yiting Li	Skadden
Yang Mo	Paul Weiss
Andrew Steiger	MoFo
Maya Powe	AGG
Samson Peng	Skadden
Kyle Menges	Gunderson
Kelsey Pfleger	Sheppard Mullin
Melody Latino	Hillis Clark
Ferish Patel	Cooley
Jenny Qi	Ropes
Tae Hun Kim	Linklaters
Rui Xie	GDC
Steven Holm	Milbank
Constantine Pappas	GDC
Stan Yao	Skadden
James Jackson	Cooley
Lianchen Liu	Linklaters
Miae Woo	Cooley
David Kuo	DLA Piper
Jon Maselli	DLA Piper
Enlin Jiang	Citi
Jessica Earle	Wilson Sonsini

Responding Party reserves the right to supplement his response to this interrogatory as more information becomes available.

## **INTERROGATORY NO. 2**

Identify each communication with an attorney You, Legis, or an employee or any agent of Legis attempted to place for employment from December 16, 2015 to December 16, 2017. To the extent you or Vinokurova communicated with an attorney directly through your email addresses (evan@kinneyrecruiting.com and yuliya@kinneyrecruiting.com), do not identify those specific communications.

## **RESPONSE NO. 2**

Jowers objects because this interrogatory is vague in that it requires Jowers to speculate on the meaning of “attempted to place for employment.” This interrogatory is also unduly burdensome because it seeks irrelevant information concerning persons who are neither parties to this case nor parties to Jowers’s former employment agreement with MWK’s predecessors. Jowers further objects to this interrogatory because it constitutes an attempt to fish into Jowers’s and Legis’s legal placements without regard to whether such placements have anything to do with this case and

whether such information is relevant; Jowers will not produce information regarding any attorney or law firm or company office that could not reasonably be related to the issues in dispute in this litigation as set forth in MWK's live pleading. Further, this interrogatory is wholly duplicative of Request for Production No. 2. Further, this interrogatory is wholly duplicative of Request for Production No. 3. Certain information responsive to this interrogatory is also protected by the attorney-client privilege and/or work product doctrine, and Jowers is therefore withholding such information. To the extent he understands this interrogatory, Jowers elects his option to produce documents from which the answer to this interrogatory may be derived or ascertained and from which the burden of ascertaining such information is substantially the same for MWK as it is for Jowers and will supplement with a specification of the responsive records. Jowers specifically refers MWK to documents that will be produced in response to MWK's Request for Production No. 3.

#### **SUPPLEMENTAL RESPONSE NO. 2**

Jowers refers to documents produced on February 11, 2021. Jowers will produce additional supplemental responsive documents within a reasonable time.

Jowers reserves the right to supplement his response to this interrogatory as more information becomes available.

#### **INTERROGATORY NO. 7**

Describe, step by step, the process of formation of Legis Ventures (HK) Company Limited, including the persons involved, the distribution of shares, any contractual deals that were made between shareholders and employees, the setting up on the website, and the hiring of employees.

#### **RESPONSE NO. 7**

Jowers objects to this interrogatory because it is overly broad and unduly burdensome in that it purports to require him to provide an extensive step-by-step narrative of largely irrelevant matters. Jowers further objects because this interrogatory is vague and ambiguous in that it requires Jowers to speculate on what information MWK is seeking. Jowers further objects to this interrogatory because the information it seeks is not relevant to this case; the registration, design, hosting, development, and marketing of the [www.evanjowers.com](http://www.evanjowers.com) website is not in any way at issue in this litigation and is not a proper subject of discovery in this lawsuit. Further, certain information responsive to this interrogatory is also protected by the attorney-client privilege and/or work product doctrine, and Jowers is therefore withholding such information.

Jowers answers that Alejandro Vargas formed Legis as a Hong Kong company in or about November 2016. Alejandro Vargas owns 100% of the interest in Legis. Jowers has an employment agreement with Legis for his employment as an attorney recruiter.

#### **SUPPLEMENTAL RESPONSE NO. 7**

Responding Party answers as follows: Alejandro Vargas formed Legis Ventures (HK) Company Limited on his own without any input or influence from Jowers. This happened during 2016 and culminated with the company being launched by Alejandro Vargas in the 2nd half of 2016.

Jowers had nothing to do with that. Vargas had 100% of the shares and was the only director of the company until several months ago, when Jowers became the sole director of the company.

Responding Party does not possess knowledge of the details and process of Alejandro Vargas on his starting Legis Ventures (HK) Company Limited in 2016.

After Jowers left Kinney, he built a rudimentary website for evanjowers.com and then during 2017, they had a HK based web designer and then later a US based web designer get a more advanced website up for evanjowers.com and jowersvargas.com.

There are no employee contracts or any other contracts between employees and the company, with the exception of Jowers's employee contract with Legis Ventures, as part of Jowers's Hong Kong work visa application.

Jowers reserves the right to supplement his response to this interrogatory as more information becomes available.

**INTERROGATORY NO. 8**

Describe Your current job position, including the name of your current employer, the duties of your job, and whether you have a contract (oral or written) which in any way covers your current employment.

**RESPONSE NO. 8**

Jowers answers that he is an attorney recruiter for Legis and has entered into an employment agreement with that entity. His duties include advising attorneys on the legal market, providing career advice, and assisting attorneys in their employment searches.

**SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 8:**

Jowers refers to his previous "Response No. 8" written above that was previously served in this litigation.

Jowers responds as follows: Jowers has a written contract with his current employer, Legis. Responding Party produced documents concerning this written contract bates labeled:

EJ0004350-EJ004354  
EJ0000214-EJ000219

Jowers reserves the right to supplement his response to this interrogatory as more information becomes available.

**INTERROGATORY NO. 9**

Identify all current and former employees of Counsel Holdings, Inc [*sic*], MWK Recruiting, Inc., Kinney Recruiting LLC, Counsel Unlimited LLC, or any other associated entity you have contacted since December 16, 2016.

**RESPONSE NO. 9**

Jowers objects to this interrogatory because the phrase “other associated entity” renders that interrogatory vague and ambiguous. As a result, Jowers limits his response to this interrogatory to the entities listed—Counsel Holdings, Inc., MWK Recruiting, Inc., Kinney Recruiting LLC, and Counsel Unlimited LLC. Jowers answers that, since approximately December 16, 2016, he has contacted the following individuals, although not necessarily about attorney recruiting or matters related to the same: Yuliya Vinokurova, Alexis Lamb, Peter Gutensohn, Paige Drewelow, Chris Miller, and Josh Carr

#### **SUPPLEMENTAL RESPONSE NO. 9**

Jowers refers to his previous “Response No. 9” written above that was previously served in this litigation.

Jowers responds as follows: Yuliya Vinokurova, Alexis Lamb, Peter Gutensohn, Paige Drewelow, Chris Miller, and Josh Carr.

Jowers reserves the right to supplement his response to this interrogatory as more information becomes available.

#### **INTERROGATORY NO. 10**

Identify each person who was a client or potential candidate of Kinney Recruiting with whom you communicated between December 16, 2015 and December 16, 2016. To the extent that you communicated with persons only through your [evan@kinneyrecruiting.com](mailto:evan@kinneyrecruiting.com) email address, do not identify these persons here.

#### **RESPONSE NO. 10**

Jowers objects to this interrogatory because it is vague, ambiguous, and overbroad in that it requires Jowers to speculate what MWK considers a “potential candidate.” Jowers further objects that this interrogatory is unduly burdensome in that it would not be possible for Jowers to recall every attorney with whom he interacted during a twelve-month period beginning more than four years ago. Jowers further objects that this interrogatory is unreasonably cumulative and duplicative of Interrogatory No. 2. Jowers interprets this interrogatory to call for the identities of clients and attorney candidates whom Jowers believes he never communicated with using the [evan@kinneyrecruiting.com](mailto:evan@kinneyrecruiting.com) email address and whom Jowers believes were actual candidates of Kinney Recruiting. Jowers answers that he does not believe that he communicated with any person whom he believed to be a client or actual candidate of Kinney Recruiting during the referenced period of time other than using his [evan@kinneyrecruiting.com](mailto:evan@kinneyrecruiting.com) email address.

#### **SUPPLEMENTAL RESPONSE NO. 10**

Jowers responds as follows: Jowers does not believe that he communicated with any person whom he believed to be a client or actual candidate of Kinney Recruiting during the referenced period of time other than using his [evan@kinneyrecruiting.com](mailto:evan@kinneyrecruiting.com) email address.

Jowers reserves the right to supplement his response to this interrogatory as more information becomes available.

**INTERROGATORY NO. 11**

Identify each person who had been a client or potential candidate of Kinney Recruiting prior to December 16, 2016, with whom you communicated between December 16, 2016, and December 16, 2017.

**RESPONSE NO. 11**

Jowers objects to this interrogatory because it is vague, ambiguous, and overbroad in that it requires Jowers to speculate what MWK considers a “potential candidate.” Jowers further objects that this interrogatory is unduly burdensome in that it would not be possible for Jowers to recall every attorney with whom he interacted during a twelve-month period beginning more than three years ago. Jowers further objects that this interrogatory is unreasonably cumulative and duplicative of Interrogatory No. 2. Jowers interprets this interrogatory to call for the identities of clients and attorney candidates whom Jowers believes he never communicated with using the [evan@kinneyrecruiting.com](mailto:evan@kinneyrecruiting.com) email address and whom Jowers believes were actual candidates of Kinney Recruiting. Jowers answers that he does not believe that he communicated with any person between December 16, 2016, and December 16, 2017, whom he believed had been a client or actual candidate of Kinney Recruiting prior to December 16, 2016.

**SUPPLEMENTAL RESPONSE NO. 11**

Jowers responds as follows: Jowers does not believe that he communicated with any person between December 16, 2016, and December 16, 2017, whom he believed had been a client or actual candidate of Kinney Recruiting prior to December 16, 2016.

Jowers reserves the right to supplement his response to this interrogatory as more information becomes available.

**INTERROGATORY NO. 12**

Identify by date (or approximate date, if the exact date is unknown) and subject matter each oral agreement you allege that you had with any MWK Entity.

**RESPONSE NO. 12**

Jowers answers as follows:

- April/May 2006: Jowers and Robert Kinney (“**Kinney**”) reached an agreement that Jowers would be paid a certain commission for each attorney candidate he successfully placed. Kinney also represented to Jowers that he would receive interest-free advances when placements were made. Further, Kinney represented to Jowers that Jowers’s employment would not be contingent on any kind of non-solicitation or non-compete agreement.
- Mid-2011 through January 2012: Kinney repeatedly promised Jowers a year-end bonus based on performance. Kinney represented to Jowers that the bonus would be in the \$100,000 to \$150,000 range.



- 2012: Kinney represented to and expressly promised Jowers that he would receive an annual bonus of at least \$100,000—not a loan—if, during any twelve-month period thereafter, he achieved revenue numbers substantially similar those he achieved in 2011.
- Late-2014 to Mid-2015: In exchange for Jowers moving to Hong Kong, Kinney promised to provide Jowers an office in “Central”—Hong Kong’s business district, where most of the top international law firms’ Hong Kong offices are located—or, in the alternative, to substantially subsidize Jowers’s housing costs if Jowers chose to live and work out of the same location. These promises continued throughout Jowers’s period of time in Hong Kong, through and including 2016.
- Late-2014 to Mid-2015: Both before and after Jowers moved to Hong Kong to begin working for Kinney Recruiting Limited, Kinney promised to sponsor, obtain, and pay for a Hong Kong work visa for Jowers. Kinney also promised to cover all of Jowers’s work-related expenses, such as travel for work and client entertainment. These promises continued throughout Jowers’s period of time in Hong Kong, through and including 2016.
- 2014: Kinney and Jowers agreed that if a partner candidate was placed at a particular firm, the parties would split the commission 50/50; if the partner candidate was placed elsewhere, Jowers would receive his full commission. The partner candidate ended up being placed at a firm other than the one that they had specifically identified, but Kinney refused to honor the deal. Jowers was forced to beg for his commission, and in the end, he only received 60% of the full commission, when he should have received 100% per their agreement.
- 2014: Jowers and Kinney agreed to work together to place a candidate and split the commission 50/50. After the candidate was placed, Kinney paid Jowers only 18% of the commission fee, rather than the agreed 50%.

Jowers reserves the right to supplement his response to this interrogatory as more information becomes available.

#### **SUPPLEMENTAL RESPONSE NO. 12**

Responding Party’s response remains the same as written above in “Response No. 12,” which was previously served in this litigation.

Jowers reserves the right to supplement his response to this interrogatory as more information becomes available.

Respectfully submitted,

By: /s/Robert Tauler  
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**COUNSEL FOR DEFENDANT AND  
COUNTERCLAIMANT EVAN P.  
JOWERS**

**CERTIFICATE OF SERVICE**

I hereby certify that, on February 14, 2021, a true and accurate copy of the foregoing document was served via email to all counsel of record.

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/s/ Robert Tauler  
Robert Tauler

**Robert E. Kinney - Time Entries - MWK v. Jowers**

<b>Date</b>	<b>Attorney</b>	<b>Description</b>	<b>Time</b>
12/18/2016	REK	Review extensive email from Jowers re the reasons he resigned and believed his agreement was not enforceable	0.6
12/18/2016	REK	Receive and reply to email correspondence from E Jowers regarding duties following his resignation	0.4
12/18/2016	REK	Email to reps at abovethelaw.com w news and directing them to remove material promoting Jowers	0.3
12/18/2016	REK	Requested J Jaworski create list of candidates Jowers had contact with for forwarding to Jowers	0.1
12/23/2016	REK	Receive and review another 6 email messages from Jowers with reasons his agreement was not enforceable	1.5
12/23/2016	REK	Locate and review original faxed copy of Jowers employment agreement	0.5
12/23/2016	REK	Review spreadsheet from J Jaworski identifying 50+ active Jowers candidate matters	0.5
12/25/2016	REK	Receive and review multiple long email messages from E Jowers regarding his interpretation of duties under his contract and what should happen with "live" candidates	0.5
12/26/2016	REK	Draft response demanding list of candidates Jowers has which are "live" leads	0.4
12/26/2016	REK	Receive and review storm of emails from Jowers repudiating his contract	0.4
12/26/2016	REK	Draft and send response to Jowers re duties he owes and how to avoid litigation	0.3
12/26/2016	REK	Review message from Jowers promising list of "live" candidates	0.2
12/26/2016	REK	Review various whatsapp messages sent by Jowers with similar content	0.2
12/27/2016	REK	Review further email from Jowers asserting that his covenant did not apply if candidates reached out to him and research re same	1.0
12/27/2016	REK	Receive and review list of "live" candidates from Jowers and compare to MWK records	0.5
12/28/2016	REK	Review further extensive emails from Jowers re his view of duties and his willingness to finance expensive litigation	1.0
12/28/2016	REK	Draft and send brief response to Jowers affirming our intention to protect KR rights	0.5
12/29/2016	REK	Review further extensive emails from Jowers re same topics	0.5
12/30/2016	REK	Research enforceability of restrictive covenants under Florida law	2.0
12/30/2016	REK	Draft note to file re candidates and status	1.0
12/31/2016	REK	Confer with Renee Sommers re loan status and application of final Jowers commission	0.4
1/3/2017	REK	Research and consider options regarding holding balance on loans as security for Jowers breaches	1.0
1/5/2017	REK	Correspond w Longhao Wang re Jowers activities	0.1
1/9/2017	REK	Research re various potential causes of action and begin draft of original petition and request for TRO against Jowers	4.5
1/9/2017	REK	Review compiled email messages of Jowers to/from Candidates in prior year	2.0
1/9/2017	REK	Draft and send message to Jason Cunningham on Jowers's team to place him on notice of Jowers's breaches	0.5
1/9/2017	REK	Instruct J Jaworski re compiling all email messages from Jowers	0.1
1/10/2017	REK	Continue drafting original petition against Jowers and request for TRO	6.0
1/10/2017	REK	Begin draft of affidavit in support of petition for TRO	0.6
1/10/2017	REK	Draft and send follow up email to J Cunningham	0.2
1/17/2017	REK	More research re various causes of action	2.5
1/17/2017	REK	Compile and review text message correspondence between REK and Jowers	2.3
1/19/2017	REK	Review Jowers commission history prepared by Renee Sommers	0.5
1/19/2017	REK	Review his edits and follow up with comments	0.3
1/22/2017	REK	Continue drafting original petition, TRO, and affidavit	7.3
1/22/2017	REK	Further research re causes of action and elements thereof	1.5

1/22/2017	REK	Request client-side list of contacts Evan made during year prior to resignation from J Jaworski and send instructions re same	0.1
1/31/2017	REK	Review draft received back from V Ortega of petition and respond to his questions	0.3
2/2/2017	REK	Continue drafting and review of original petition	2.7
2/2/2017	REK	Prepare and execute assignments of claims and causes of action to MWK effective 1/31	1.0
3/11/2017	REK	Research procedure used at SDNY for service under Rule 4 and confer by phone w D Massie at D Clerk's office re same	1.0
3/12/2017	REK	Prepare exhibits for Original Petition and write instruction email to J Jaworski regarding assembly of set	0.4
3/27/2017	REK	Review assembled exhibits and respond to question from J Jaworski	0.2
3/30/2017	REK	Final review of Original Petition and execute verification and file	2.0
5/2/2017	REK	Confer with J Jaworski re obtaining citations for defendants from D clerk, receive and review citations received from clerk, and confer w J Jaworski re assembly of package and contacting process server	0.5
5/8/2017	REK	Receive voice message from Jowers and request transcription from admin	0.3
5/9/2017	REK	Confer with J Jaworski re process service efforts and about finding whereabouts of Jowers	0.4
5/31/2017	REK	Look for indications of Jowers's whereabouts on email/internet	1.0
5/31/2017	REK	Review Jowers email received before and after departure and give J Jaworski instructions on organizing evidence	0.3
5/31/2017	REK	Receive and review email from candidate Chang to Jowers at KR email	0.1
6/12/2017	REK	Determine need to effectuate service on Jowers to have an effective injunction, perhaps on layover in DFW	0.2
6/25/2017	REK	Call process server for update on efforts	0.2
6/25/2017	REK	Review email received by Jowers at KR email	0.1
6/25/2017	REK	Try to locate Jowers on internet	0.1
7/10/2017	REK	Review email sent to Evan@Kinneyrecruiting.com by prior candidates and forward to Eve Yao for handling	0.1
7/18/2017	REK	Review filed petition in light of recently discovered activities of Jowers and confer w J Jaworski re locating and editing petition for filing of amendment	0.4
7/20/2017	REK	Travel from EH, NY to NYC to meet with D Gordon, Vice Chair of Latham	6.0
7/20/2017	REK	Meet with D Gordon for discussion of work we suspect Jowers has been doing with Latham in violation of his contract and using KR trade secrets, including S Kang placement	1.0
7/20/2017	REK	Meet with R Robins at K&E regarding recruiting - described lawsuit causes of action to her and requested assistance	0.3
7/20/2017	REK	Draft email to Latham GC on suggestion of D Gordon re withholding fee for S Kang	0.2
7/24/2017	REK	Continue draft of email to Kip Johnson, Latham GC, and send	1.5
8/18/2017	REK	Receive and review response from Kip Johnson at Latham, then respond	0.2
9/11/2017	REK	Review Jowers activity on the web and confer with Eve Yao regarding what she has heard about his whereabouts	0.3
11/6/2017	REK	Review Jowers's activity on web and confer with Eve Yao regarding what she has seen of his actions	0.3
11/7/2017	REK	Travel to HK for meetings with various clients related to discovering actions Jowers has taken and his whereabouts	20.0
11/11/2017	REK	Meetings with various KR clients, discussion of known activity of Jowers	0.5
11/28/2017	REK	Review of Jowers's email account and find email related to Meng Ding showing his work with Meng Ding before leaving	1.5
11/29/2017	REK	Telephone conversation w R Robins at K&E regarding Meng Ding placement and contractual provisions regarding fee disputes between recruiters	0.4
12/4/2017	REK	Draft and send email to Joanne Ma and Ben Su at K&E re Jowers's placement of Meng Ding	1.1
12/4/2017	REK	Forward copy of email to Regina Robins at K&E w cover	0.1
12/6/2017	REK	Draft and send email to Joanne Ma at K&E following up and re intention to seek TRO and options	0.8

12/8/2017	REK	Tel con w Tom Kuhn, GC of K&E, re Jowers placement of Meng Ding	0.8
12/15/2017	REK	Work on Amended Petition	3.0
12/16/2017	REK	Continue work on amended petition	2.0
1/16/2018	REK	Continue attending to amendment of petition	2.5
1/18/2018	REK	Continue work on editing and amending original petition	2.0
3/22/2018	REK	Discuss w investigator efforts to find Jowers for service	0.4
3/22/2018	REK	Determine to finalize and file ASAP	0.1
3/23/2018	REK	Instructions to J Jaworski re compiling amended petition for filing	0.3
3/26/2018	REK	Finalize and file FA petition and exhibits	1.0
3/30/2018	REK	Receive and review filing confirmation then prepare and send request for citations	0.3
4/10/2018	REK	Email J Jaworski instructions to print out and send citations for service	0.2
4/10/2018	REK	Receive and review citations for defendants for FA Petition	0.1
4/25/2018	REK	Discuss w P Drewelow email indicating Jowers business expanding by merging w business owned by J Cunningham in NYC	0.2
4/25/2018	REK	Review information from investigator re activities of Jowers recruiting firm	0.2
4/26/2018	REK	Research contact process server in FL	0.8
4/26/2018	REK	Email to investigator in HK re finding Jowers for update	0.2
4/26/2018	REK	Forward citations to FL process server as well as payment	0.2
4/26/2018	REK	Receive and review text message re Jowers presence at NALP conference in Florida	0.1
5/3/2018	REK	Receive and consider notification of service	0.1
5/9/2018	REK	Receive and consider results of investigation by J Jaworski on Jowers and his cohort's activities	0.2
5/23/2018	REK	Email clerk w attached PDFs re Return of Service E-filing	0.3
5/25/2018	REK	Research re DLA attorneys and detailed observations re Jowers Special Appearance - note to file	1.5
5/25/2018	REK	Receive and review Jowers Notice of Special Appearance received from DLA	0.6
5/25/2018	REK	Email exchange w Ray Mort re coming removal	0.1
5/26/2018	REK	Research re venue/forum issues, as well as prospect of a forum change due to Jowers's pleading saying that he's a resident of Florida	1.5
5/26/2018	REK	Review notice and associated docs	1.5
5/26/2018	REK	Receive and review notice of filing of notice of removal from Travis County D Clerk	0.5
5/30/2018	REK	Research re effect of Jowers removal of case to F Court on claim options	1.5
5/30/2018	REK	Review and consider introduction email from J Bookhout at DLA Piper re federal court removal and asking for extension, look up J Bookhout history	0.3
5/30/2018	REK	Replied to J Bookhout re approve extension and possibility of needing one as well	0.2
6/1/2018	REK	Prepare and send to R Mort summons request for YV and prep and send Motion and Order for Admission Pro Hac Vice of REK	1.5
6/1/2018	REK	Research fed DTSA and federal jurisdiction due to same and email R Mort re findings	1.0
6/1/2018	REK	Responded to email from R Mort re approval of him entering case and getting summons request for Y Vinok. filed	0.2
6/3/2018	REK	Receive and review email from opp counsel denying request to waive service and stating he could only sign PHV motion if he really knows someone "for a significant period of time"	0.2
6/3/2018	REK	Receive, review, and calendar court notice re deadlines	0.1
6/5/2018	REK	Edit draft FAC to add dates, etc.	0.5
6/5/2018	REK	Review and consider R Mort recommendations re FAC and initial draft	0.4
6/6/2018	REK	Email to opposing counsel re intention to file an amended complaint and proposing briefing schedule for efficiency	1.0
6/6/2018	REK	Review and consider opp counsel response saying we need leave to file	0.5
6/6/2018	REK	Receive and consider opp counsel request for page limit increase agmt	0.2

6/7/2018	REK	Email correspondence w opp counsel re scheduling, amendment of complaint, and page limits	1.6
6/7/2018	REK	Draft email to GC of K&E re cooperation on Meng Ding fee issue w Jowers and send to Mort for review	1.0
6/7/2018	REK	Review and consider R Mort recommendation re holding off on filing FAC	0.4
6/7/2018	REK	Email to opp counsel requesting that he cease sending cert mail service and serve by email	0.2
6/8/2018	REK	Review and edit draft motion for substituted service	0.4
6/8/2018	REK	Send email to K&E GC T Kuhns	0.1
6/11/2018	REK	Review and consider motion to dismiss filed by Jowers and Legis	1.0
6/27/2018	REK	Redraft inserts to FAC	4.0
6/27/2018	REK	Edit and consider FAC in light of evidence, separating counts on loans and emp agmts	0.5
6/28/2018	REK	Continue review of evidence and draft/review edits of R Mort of FAC	4.2
6/29/2018	REK	Review and edit R Mort draft of FAC	4.3
6/29/2018	REK	Pull go-by for corporate disclosure statement for filing	0.3
7/2/2018	REK	Continue with final review and edit of FAC, consider same and to give OK for filing	2.5
7/3/2018	REK	Review and consider request for extension by opp counsel regarding filing a reply to our response to the MTD	0.1
7/9/2018	REK	Correspondence w opp counsel re request for extension to try to resolve status w/o need for further filings and approve extension	0.3
7/9/2018	REK	Follow up email asking if opp counsel would approve sur-reply	0.1
7/10/2018	REK	Receive and consider opp counsel request for extension of time to file reply re response to MTD	0.1
7/11/2018	REK	Receive and consider text order mooted motion to extend deadlines [10]	0.2
7/11/2018	REK	Receive, review and consider Jowers motion to extend deadline to respond to FAC	0.2
7/20/2018	REK	Receive and consider text order mooted [11] Jowers's MTD filed 6/8	0.2
7/25/2018	REK	Review R Mort follow up email to Bookhout after no response to 7-11 message	0.1
7/26/2018	REK	Review and consider R Mort response to Bookhout request for page limit increase and request for reciprocal extension and time limit extension	0.1
7/27/2018	REK	Receive and review Jowers's unopposed motion for page limit increase on dispositive motion	0.1
7/30/2018	REK	Receive and begin to review Jowers Motion to Strike [18] and Motion to Dismiss [19]	1.0
7/30/2018	REK	Review and consider various emails from J Bookhout re intention to file Motion to Strike FAC re opposition to motion	0.3
7/30/2018	REK	Respond to Bookhout to confirm opposed and request extension re responding to brief	0.1
8/1/2018	REK	Consider cases re when federal rules begin to apply after removal - TMA Leasing, Patterson v Brown, and Anzures v Prologis	1.6
8/1/2018	REK	Research note to R Mort re options to consider re amending	0.3
8/2/2018	REK	Review and consider research on placements done by J Jaworski and confer w him regarding further work	0.5
8/3/2018	REK	Consider motions on file and draft and send meet & confer email to opp counsel re service issues and whether if we concede motion to strike he would concede that MTD is moot and whether he would be opposed to a motion for leave to file a SAC	1.3
8/4/2018	REK	Review and consider various motions and text orders mooted them and prepare draft reply to opp counsel explaining that his first MTD was already mooted and won't be revived, as well as asking about proposed scheduling order that is due	1.0
8/4/2018	REK	Receive and consider resp of opp counsel to email	0.4
8/4/2018	REK	consider response to opp counsel	0.3
8/4/2018	REK	Send email as revised to opp counsel	0.3
8/6/2018	REK	Review Pitman prior orders on opposed motion for leave to amend	0.5
8/6/2018	REK	Review and OK for filing corp disclosure statement	0.4

8/7/2018	REK	Review various motions for leave to exceed page limits and change deadlines prepared by R Mort	0.5
8/8/2018	REK	Research re cases in which court has permitted amendments to complaints when opposed and when he has denied and memo to R Mort/file re same	3.2
8/8/2018	REK	Review J bookhout response re request that he not oppose amended complaint adding conditions and consider same	0.5
8/9/2018	REK	Draft and revise response to [18] Jowers Motion to Strike [13] FAC	3.2
8/9/2018	REK	Prepare proposed order for filing w Motion for leave to exceed page limit	0.3
8/10/2018	REK	Receive and review and edit R Mort draft response to [18] Motion to Strike filed by Jowers	2.5
8/10/2018	REK	Review and consider email to opp counsel about stip, dispositive motion deadlines	0.2
8/14/2018	REK	Research issues related to Motion to Dismiss filed by Jowers re personal jurisdiction	2.4
8/14/2018	REK	Receive and review R Mort response to email from J Bookhout re procedural issues	0.1
8/16/2018	REK	Begin drafting response to MTD filed by Jowers	4.8
8/16/2018	REK	Research re various issues raised in MTD filed by Jowers and consider same and outline response	3.0
8/17/2018	REK	Continue to research and draft sections of response to MTD filed by Jowers	6.7
8/17/2018	REK	Receive and review reply [31] to Motion to Strike Amended complaint filed by Jowers	1.5
8/17/2018	REK	consider necessary additions to MTD response	0.4
8/18/2018	REK	Research re jurisdiction over Jowers and issues raised by his claims of failure to serve timely	1.0
8/20/2018	REK	Continue work on MTD filed by Jowers response	3.5
8/21/2018	REK	Receive and consider J Bookhout email re lack of appearance obviates need to file sch order per local rule and double check if there is such an exception	0.4
8/23/2018	REK	Research re ambiguity in choice of forum clauses for Response to MTD filed by Jowers	2.4
8/23/2018	REK	Internet research re Jowers domain registrations and server locations	1.4
8/23/2018	REK	Research re right to amend complaint under federal/state rules	1.0
8/24/2018	REK	Draft and review response to MTD by Jowers	4.6
8/24/2018	REK	Further research re ambiguity in forum selection for response to MTD filed by Jowers	3.0
8/27/2018	REK	Review and edit draft response to MTD by Jowers	4.5
8/27/2018	REK	Prepare 13 exhibits for response to MTD by Jowers for filing	2.5
8/27/2018	REK	Prepare declaration iSo response to MTD by Jowers	1.5
8/27/2018	REK	Receive and review R Mort response to email from J Bookhout re procedural issues	0.4
8/28/2018	REK	Review, consider and consider email requesting extension of time to reply by J Bookhout	0.2
9/6/2018	REK	Review and consider motion for extension filed by opp counsel	0.1
9/7/2018	REK	Review Jowers website edits and consider effect on evidentiary situation re employee or owner of Legis	1.5
9/8/2018	REK	Receive and review Reply [37] to Response to MTD filed by Jowers and consider initial opinion that they did not address the points we made	1.5
9/10/2018	REK	Research re alter ego as basis for jurisdiction over Legis	1.5
9/11/2018	REK	consider proposed draft scheduling agmt	0.5
9/12/2018	REK	Research re effects test for misappropriation of trade secrets jurisdiction and send B Lynn case to R Mort	1.5
9/13/2018	REK	Research re TUTSA and improper means	1.0
9/25/2018	REK	Research re candidate names as trade secrets - collect case precedents	1.5
10/1/2018	REK	Review final draft motion regarding request for entry of scheduling order	0.4
10/10/2018	REK	Review Order [47] granting [45] Motion regarding need for joint Proposed Scheduling Order by local rule and text order mooted J Bookhout motion for extension to respond to [45]	0.2



10/25/2018	REK	Review and comment on R Mort draft motion for jurisdictional discovery	0.5
10/25/2018	REK	Review comments of J Bookhout confirming opposition to motion	0.2
10/31/2018	REK	M&C w opp counsel re proposed schedule	0.5
11/2/2018	REK	Review D's response to Motion for Jurisdictional Discovery	1.5
11/5/2018	REK	Note Order referring discovery motion to J Austin	0.1
11/6/2018	REK	Conf w R Mort re status and prep of reply brief re jurisdictional discovery	0.5
11/7/2018	REK	Receive and review Order [56] Setting Pretrial Conference 2018-11-15 @ 09:10AM and calendar same	0.1
11/15/2018	REK	Review draft of reply re jurisdictional discovery, edit, and comment	0.5
12/10/2018	REK	Attend scheduling conference by phone	0.2
12/10/2018	REK	Receive and review scheduling Order [59]	0.1
12/10/2018	REK	Review initial disclosures and authorize sending to opp counsel	0.1
12/11/2018	REK	Email to K&E GC re Meng Ding fee Jowers received	0.5
12/11/2018	REK	consider reference to magistrate	0.1
12/12/2018	REK	Confer w J Jaworski and send instructions re email of Jowers to review and format for collecting data on placements	1.0
12/12/2018	REK	Review and comment on draft discovery requests to go out today	0.5
12/14/2018	REK	M&C w opp counsel re intended motion to stay discovery	1.0
12/15/2018	REK	Receive and review D's Exp Motion to Stay Discovery	1.0
12/15/2018	REK	Calendar deadline for response	0.1
12/17/2018	REK	Research cases related to stay of discovery and consider same	2.0
12/21/2018	REK	Receive and review Order staying case [63]	0.2
12/26/2018	REK	Receive and consider email from Will Pruitt at K&E saying he would not respond to subpoena in light of stay of discovery	0.3
1/22/2019	REK	Receive and Review Order [64] denying motion [51] for jurisdictional discovery and consider options	0.5
2/21/2019	REK	Receive and review Order [65] re MWK production of evidence supporting allegation it is successor in interest and setting evidentiary hearing	0.5
2/22/2019	REK	Review draft protective order and M&C emails to/from opp counsel re same	0.5
2/25/2019	REK	Prepare corp disclosure of Counsel Holdings	1.4
2/25/2019	REK	Prepare Motion to continue hearing set for 3/13 and conference w opp counsel	0.4
2/25/2019	REK	Prepare notice of merger of MWK w Counsel holdings and name change and file [68]	0.4
2/25/2019	REK	M&C w opp counsel re Protective Order	0.3
2/25/2019	REK	Receive and review Confidentiality and Protective Order [70]	0.1
2/26/2019	REK	Receive and review Confidentiality and Protective Order [70]	0.5
2/27/2019	REK	Receive and review Order [71] granting hearing continuance and calendar for 3/18 @9	0.2
2/28/2019	REK	Receive and review Order [72] resetting motions hearing to 3-21 @ 9 and calendar	0.2
3/3/2019	REK	Review J Austin's order [64] denying jurisdictional discovery for addressing Rule 4(k)(2) and review cases cited by Legis in brief re how attenuated jurisdictional contacts can be, then incorporate further arguments in supplemental brief and draft note to file re same	1.0
3/4/2019	REK	Draft brief section re contracts and assignments of same and further research re cases on 4(k)(2) and interplay with Calder effects test and begin to draft/revise section of supplemental brief re minimum contacts	3.0
3/5/2019	REK	Research re cases on 4(k)(2) and interplay with Calder effects test	2.4
3/6/2019	REK	Continue preparing supplemental brief re assignment of contracts and causes of action and minimum contacts analysis, gather exhibits and scan/compile and assist with creating diagram insert for brief	2.0
3/7/2019	REK	Receive, review, and consider draft motion of Jowers to continue hearing	0.2
3/8/2019	REK	Send dates of unavailability for hearing to opp counsel and receive/review unopposed Motion [74] as filed	0.3
3/11/2019	REK	Confer w Jowers counsel re resetting hearing from 3/21 to 3/22	0.2

3/11/2019	REK	Receive and review agreed motion to continue	0.2
3/11/2019	REK	Receive and review Order resetting evidentiary hearing to 3/22 [75] and calendar	0.2
3/13/2019	REK	Receive and review Order [76] granting Jowers's Motion to Strike [18], mooted motions to dismiss, and cancelling hearing re assignments and research/consider options for amendment	1.0
3/14/2019	REK	Consider matters that need to be addressed in amended complaint and research re same	1.5
3/15/2019	REK	Research potential of adding breach of fiduciary duty claims and preemption issues and prep note to file/Mort	2.5
3/15/2019	REK	Further consider current posture of case and plan of action going forward	1.0
3/19/2019	REK	Receive R Mort amended complaint and motion and proofread/edit	3.0
3/21/2019	REK	Review joint ADR report draft and consider footnote requested by opp counsel	0.4
3/22/2019	REK	Edit and revise unopposed Motion [78] to Amend Complaint with 15 exhibits	4.2
3/22/2019	REK	File joint ADR report after conference [77]	0.5
3/25/2019	REK	Receive and review Order [79] Granting motion [78] for leave to amend, review proposed agreed motion to extend briefing deadlines and order re same	0.4
3/26/2019	REK	Confer w opposition re page limits and agreed motion to stay and set briefing schedule and review proposed changes to motion and order, then download, review, and file the filed motion [81]	0.5
3/27/2019	REK	Receive and review Order [82] Staying Case and Setting Briefing Schedule and calendar dates	0.3
4/17/2019	REK	Receive and review Ds' Motion to Dismiss [84]	3.0
4/17/2019	REK	Begin outlining response to Motion to Dismiss	1.5
4/17/2019	REK	Review Jowers declarations and make notes for response	1.3
4/18/2019	REK	Continue preparing response to motion to dismiss	3.0
4/19/2019	REK	Continue preparing response to motion to dismiss	3.5
4/21/2019	REK	Complete first draft of response to Ds' Motion to Dismiss	4.5
4/21/2019	REK	Prepare order and revise prior declaration	1.7
5/7/2019	REK	Review and edit draft of response to Ds' Motion to Dismiss	2.5
5/8/2019	REK	Finalize and file Response to Motion to Dismiss	1.5
5/22/2019	REK	Receive and review Reply [86] to Response to MTD	1.1
7/8/2019	REK	In light of Jowers's defamation claim in HK, research enforceability of overseas defamation awards in US	1.5
7/29/2019	REK	Receive and review and analyze Court's Order [87] on Motion to Dismiss	1.5
8/8/2019	REK	Confer w opp counsel re extending deadline for responsive pleading to SAC for Jowers	0.3
8/9/2019	REK	Receive and review Jowers motion [88] to extend deadlines	0.2
8/19/2019	REK	Receive and review Jowers's Answer and Counterclaims [90]	2.3
8/19/2019	REK	consider claims and designation of MWK defendants as third party defendants and propriety of same under FRCP and draft research note	1.0
8/21/2019	REK	Receive and review Order [92] setting Deadline for 3rd Party Answer	0.1
8/23/2019	REK	Update placements spreadsheet	1.5
8/23/2019	REK	Respond to J Jaworski re placements and review response	1.0
8/23/2019	REK	Review J Jaworski email re Evan's placements	0.5
8/30/2019	REK	Receive and review Order [93] Setting Status Conference in case	0.1
9/4/2019	REK	Receive and review Order GRANTING [94] Unopposed Motion to Extend Time	0.1
9/9/2019	REK	Receive and review order [95] cancelling 2/10/20 jury selection and trial pending further order	0.1
9/10/2019	REK	consider next steps, answer timing and issues	0.5
9/10/2019	REK	Attend pretrial conference by phone	0.3
9/10/2019	REK	Receive and review amended Scheduling Order [98] and calendar dates	0.2
9/16/2019	REK	Begin drafting Answer to Counterclaims	3.2
9/16/2019	REK	Process payment of HK\$100K retainer for counsel in HK	0.2
9/20/2019	REK	Continue draft of Answer to Counterclaims	2.5



9/20/2019	REK	Receive and review latest draft of the affidavit needed in HK and print/execute and prepare to send by courier to HK	1.0
9/20/2019	REK	Research Jower's affirmative defenses	1.0
9/20/2019	REK	consider various issues	0.4
9/20/2019	REK	Note to file regarding several defenses are not aff defenses but negations of elements of KR CoA	0.3
9/23/2019	REK	Email to B Pruitt @ K&E providing status of case asking him when he plans to respond to subpoena	0.3
9/30/2019	REK	Finalize answer and file [99]	3.5
9/30/2019	REK	Continue working on draft of answer to counterclaims	2.5
10/4/2019	REK	Download cases that are cited in DQ motion and read them	1.3
10/4/2019	REK	Receive and review draft motion from D's counsel James Bookhout seeking DQ of REK	1.0
10/4/2019	REK	Consider/research/note potential responses to Motion	0.5
10/7/2019	REK	Conduct additional research regarding DQ issues and read relevant cases re disqualifying attorneys	5.0
10/8/2019	REK	Consider seeking extension on DQ motion and begin draft of motion re same	0.5
10/9/2019	REK	Prepare and file unopposed motion for extension of time to file response to motion to DQ REK	0.5
10/9/2019	REK	Receive and review text Order GRANTING [101] Unopposed Motion to Extend Time to answer DQ motion	0.1
10/15/2019	REK	Finalize and file response [105] to motion [100] to disqualify REK	4.6
10/17/2019	REK	Receive, review, and research reasons for Order [106] Granting DQ of REK and begin outlining and drafting request to reconsider before receiving order [108] vacating same	3.5
10/17/2019	REK	Draft email to GC of K&E re Meng Ding fee issue	1.0
10/17/2019	REK	Research re permissibility of email service and email to opp counsel requesting that he cease sending cert mail service and serve by email	0.7
10/22/2019	REK	Receive and review ORDER [110] DENYING [100] Motion to Disqualify Counsel	0.7
10/28/2019	REK	consider hearing prep and responsibilities	0.5
10/31/2019	REK	Review detailed letter from DLA re hearing bundle drafts	1.0
10/31/2019	REK	Review prior (unanswered) subpoena to K&E and edit requests and send to R Mort	0.3
11/1/2019	REK	Send affidavits of Jowers to R Mort for consideration of whether we file	0.1
11/3/2019	REK	Prepare amended answer eliminating claims for defamation	1.0
11/3/2019	REK	Prepare response to Jowers MTD	0.4
11/4/2019	REK	Final review, prepare for filing and file Amended Answer [116] to [96] CCs and Response to [109] MTD [117]	0.3
11/4/2019	REK	Receive and review [118] Reply of Jowers to MTD	0.2
11/7/2019	REK	Prep subpoena to K&E re documents	1.0
11/13/2019	REK	Consider, draft and send to R Mort a proposed settlement offer letter for sending to J Bookhout	1.0
11/15/2019	REK	Draft and send settlement offer letter to J Bookhout per Court's order	0.2
11/19/2019	REK	Begin to outline response to Motion to Stay	1.5
11/20/2019	REK	Begin draft of response to Motion to Stay	2.5
11/20/2019	REK	Research re Pitman and other cases granting stays and briefing re same	1.5
11/22/2019	REK	Continue to draft and revise response to Motion to Stay	3.5
11/23/2019	REK	Finalize by incorp comments of R Mort and prepare response to Motion to Stay for filing w proposed order	2.0
11/23/2019	REK	Revise prior discovery requests that had been sent to Jowers prior to discovery stay and send to R Mort for review	1.5
11/23/2019	REK	Confer w Tristan Loanzon re entering case to assist w discovery and send him access to docket	0.5
11/25/2019	REK	Review evidence and prepare targeted subpoenas for documents to Mofo, Skadden, Latham, DLA Piper, and Kirkland	3.5
11/25/2019	REK	Create mailings at CertifiedMailLabels.com and send	1.0

11/25/2019	REK	Finalize and send 1st Revised disc requests and subpoenas to 3d parties to J Bookhout	1.0
11/25/2019	REK	Finalize Table of Authorities and file response to [122] Motion to Stay [124]	1.0
11/25/2019	REK	Research and identify parties to serve at each entity	0.5
12/2/2019	REK	Receive and review Jowers's Reply [126] to Response to Motion to Stay	0.3
12/3/2019	REK	Review Jowers screenshots compiled by J Mufti	0.2
12/4/2019	REK	Review, consider, and respond to Jowers's settlement offer received from J Bookhout	0.3
12/5/2019	REK	Receive, review Latham voice message from GC office re subpoena and respond	0.5
12/6/2019	REK	Receive, review and respond to Emergency Motion to Expedite Decision on Stay and Order on Motion to Stay Pending Emergency Motion from J Bookhout	0.3
12/11/2019	REK	Consider effect of partial grant of stay and confer with R Mort re same	0.3
12/13/2019	REK	Research and read cases related to withdrawal of jury demand and consider filing same	2.5
12/13/2019	REK	Receive corresp from and respond to M Hewett at GDC re subpoena extension	0.2
12/13/2019	REK	Consider and further research jury demand withdrawal motion issues and outline same	3.5
12/17/2019	REK	Receive and review DLA's objections to subpoena	0.4
12/18/2019	REK	Research re proper service of subpoena in response to K&E objections and send to R Mort	0.5
12/18/2019	REK	Review and consider W Pruitt's (K&E) Letter to R Mort re Jowers subpoena	0.4
12/18/2019	REK	Review and respond to J Bookhout request for extension on discovery responses to 1/9/20	0.2
12/18/2019	REK	Review Jowers's response from J Bookhout re written settlement offer rejecting our proposal	0.2
12/20/2019	REK	Receive and review discovery requests received from J Bookhout	1.0
12/20/2019	REK	Consider means for new attempt at service on Kirkland	0.5
12/20/2019	REK	Receive and review objections to subpoena from Mofo	0.3
12/21/2019	REK	Further review then and forward to Tristan Jowers's First RFPs and Rogs	1.0
12/21/2019	REK	Prepare and send new service to Kirkland of Subpoena via CMRRR	1.0
12/23/2019	REK	Confer w/ T Loanzon re getting involved and appearing PHV	0.5
12/26/2019	REK	After identifying it is F Bayouth, partner in Houston, draft and send email to Frank explaining the need to serve him unless he can waive service	1.0
12/26/2019	REK	Research on TX SOS website for registered agent of Skadden Arps in Texas	0.2
12/28/2019	REK	Receive and review email from F Bayouth re subpoena	0.2
12/30/2019	REK	Confer w Skadden GC office and re-serve Skadden subpoena by email per their instructions to F Bayouth and L Haberman	0.3
12/30/2019	REK	Continue prep of Skadden subpoena	0.5
12/30/2019	REK	Email subpoena to Legis through SoS of NY to A Poole for rush service on the 31st	0.2
12/30/2019	REK	Receive and respond to request to extend date for reply to 1/31	0.1
12/31/2019	REK	Confer w/ R Mort and review W Pruitt's response to Ray that service of subpoena on K&E was received 12/30 but was still improper	0.4
12/31/2019	REK	Prepare and email subpoena for Legis to J Bookhout	0.2
1/3/2020	REK	Confer w L Haberman at Skadden re setting time for conference re subpoena	0.2
1/5/2020	REK	Call w/ T Loanzon about documents related to re Draft Response and Objections to Document Demand	0.3
1/7/2020	REK	Continued work on outline of Motion to Strike Jury Demand	1.5
1/7/2020	REK	Call w/ Skadden's GC, L Haberman re subpoena	0.4
1/7/2020	REK	Email to follow up by sending limitation on scope of subpoena	0.2
1/7/2020	REK	Receive and respond to email back from L Haberman re subpoena	0.2
1/8/2020	REK	Review Draft Response and Objections to Document Demand from T Loanzon and comment on same	1.0
1/8/2020	REK	Separate email communications w J Bookhout re subpoena to Legis and why he is resisting service of same	0.4

1/8/2020	REK	Emailled J Bookhout about whether he might not oppose motion to strike jury demand and the possibility of having a conference call to discuss discovery, then follow up extended email to J Bookhout re jury demand strike motion issue	1.5
1/10/2020	REK	Drafting Jury Demand Strike motion	4.5
1/10/2020	REK	Follow up w J Bookhout re Jury Waiver motion and receive and consider his reasons for opposition	0.5
1/10/2020	REK	Receive follow up email from L Haberman re subpoena to Skadden and respond	0.2
1/10/2020	REK	Email comms re further extension to GDC for subpoena response	0.1
1/11/2020	REK	Continue drafting and revising motion to strike jury demand of Jowers and withdraw MWK jury demand	3.5
1/12/2020	REK	Continue drafting and revising motion re jury demand	3.5
1/12/2020	REK	Reviewed Objections to First Set of Interrogatories, RFAs and RFPs sent by J Bookhout	1.0
1/13/2020	REK	Reviewed table of authorities, finalized, and filed Motion to Strike Jury Demand, Motion to Withdraw Jury Demand	1.5
1/13/2020	REK	Reviewed J Jaworski's spreadsheet organizing DLA production of emails between DLA and Jowers re various candidates	0.5
1/13/2020	REK	Call w/ T Loanzon to discuss Jowers's Objections	0.4
1/14/2020	REK	Review extended letter from DLA Piper objecting to service of subpoena on Legis	1.0
1/14/2020	REK	Call w/ T Loanzon to discuss latest discovery production	0.5
1/14/2020	REK	Calendar deadlines for MTS response/reply	0.2
1/14/2020	REK	Review and consider email from Latham stating production coming	0.1
1/16/2020	REK	Researched and collected communications between Jowers, Latham, and S Kang in email	1.5
1/16/2020	REK	Received, consider, respond to J Bookhout re extension on response	0.2
1/16/2020	REK	Request extension on discovery response deadline	0.1
1/17/2020	REK	Draft and send email to W Pruitt re narrowing subpoena scope to see if K&E would respond	0.5
1/17/2020	REK	Drafted email to R Mort discussing the call	0.5
1/17/2020	REK	Call w/ GDC's AGC, M Hewett re subpoena	0.3
1/17/2020	REK	Receive, review, consider, and respond to request from Jowers's counsel to file 2nd Am Answer unopposed	0.2
1/21/2020	REK	Managed download and upload to DWW of Jowers's kinney mailbox production	2.0
1/21/2020	REK	Contacted DWR support re exporting/converting data	0.5
1/21/2020	REK	Receive and review Order [134] re Jowers's unopposed Motion [133] to Amend his answer and counterclaims	0.4
1/21/2020	REK	Receive and note text order granting Jowers's extended deadline to respond to Motion to Strike Jury Demand .	0.1
1/22/2020	REK	Attention to discovery review and uploading	3.0
1/22/2020	REK	Draft Answer to Jowers's 2nd Am Ans. and counterclaims	0.4
1/23/2020	REK	Reviewed Jowers & Y Vinokurova chat histories compiled by M Gardiner	2.0
1/24/2020	REK	Email to L Haberman proposing follow up in view of response, and additional email to Ms. Haberman describing what else we need	0.3
1/24/2020	REK	Receive and review Skadden production in response to subpoena [from L Haberman]	0.2
1/24/2020	REK	Set up call for 1/31/2020 w Ms. Haberman	0.1
1/26/2020	REK	Draft and send response to Pruitt after researching, responding to arguments and requesting that he indicate what he would produce if narrowed	1.0
1/26/2020	REK	Research re Pruitt's specific legal arguments	0.5
1/26/2020	REK	Filed Amended Answer to Amended Answer and Counterclaims of Jowers	0.4
1/26/2020	REK	Filed Motion to Appear Pro Hac Vice for T Loanzon [Filing fee \$100, receipt number 0542-13122507]	0.3
1/26/2020	REK	Received and review email from Kirkland's GC, W Pruitt, responding to REK email of 1/17 re subpoena	0.2
1/27/2020	REK	Conferred with R Sommers seeking information re Jowers's compensation re Interrogatories and RFPs #14, 18, 19 & 20	0.5

1/28/2020	REK	Received and reviewed Jowers's Response [138] to the Motion to Withdraw/Strike Jury Demands and look up and review cases cited	2.0
1/29/2020	REK	Sorted through email in DWR	2.5
1/29/2020	REK	Prepared and sent Latham doc production link to J Bookhout	0.5
1/30/2020	REK	Further work on doc production in DWR	3.0
1/30/2020	REK	Contacted DWR support re updating issues	0.5
1/30/2020	REK	Received and reviewed Jowers and Y Vinokurova page view history from admin	0.5
1/31/2020	REK	Met w/ R Sommers re Jowers data	3.0
1/31/2020	REK	Further work on discovery production for Jowers	2.0
2/3/2020	REK	Further revisions to draft	4.0
2/3/2020	REK	Drafted reply for Motion, Response and FL restraint of trade statute then sent to R Mort	2.5
2/4/2020	REK	Finalize and send J Bookhout Responses and Objections to First Interrogatories and RFPs	2.0
2/4/2020	REK	Drafted Supplementary Declaration for Motion to Withdraw Jury Demand and Strike Jury Demand	1.5
2/4/2020	REK	Finalized and filed reply to Jowers response to Motion re Jury Demand	1.0
2/4/2020	REK	Receive and review Order [139] re Motion [137] to Appear Pro Hac Vice for Attorney Tristan C. Loanzon for Counsel Unlimited LLC	0.1
2/5/2020	REK	Worked on proof elements against Jowers	1.6
2/5/2020	REK	Reviewed Kirkland's response from W Pruitt re email of 1/26 and read cited cases from Pruitt he said make him not need to produce documents	1.3
2/5/2020	REK	Begin response email to W Pruitt	0.5
2/6/2020	REK	Sorted through production in DWR	2.0
2/6/2020	REK	Drafted email to GDC's M Hewett re subpoena scope	0.4
2/7/2020	REK	Sorted through production in DWR	5.0
2/7/2020	REK	Contacted DWR support re file size issues	0.5
2/7/2020	REK	Drafted email to Skadden's L Haberman re proposed revised subpoena scope	0.5
2/7/2020	REK	Finish and send response to W Pruitt's of 2/5 re subpoena concerns narrowing scope to just what other firms had responded to	0.5
2/10/2020	REK	Drafted Notice of Request for Hearing on Opposed Motion to Withdraw Jury Demand and Strike Jury Demand	0.5
2/11/2020	REK	Responded to Skadden's L Haberman re subpoena scope	0.5
2/11/2020	REK	Filed Request for Hearing	0.2
2/12/2020	REK	Drafted response to MoFo re subpoena, sent to R Mort	0.5
2/12/2020	REK	Receive and review text Order denying Motion for Hearing	0.1
2/14/2020	REK	Sorted through production in DWR	3.0
2/14/2020	REK	Contacted DWR support re attachment issues	0.4
2/15/2020	REK	Sorted through production in DWR	4.7
2/17/2020	REK	Sorted through production in DWR	5.6
2/17/2020	REK	Reviewed Trial Plan from R Mort	0.5
2/17/2020	REK	Attn to R Mort's research on discovery rule	0.2
2/18/2020	REK	Sorted through production in DWR	2.7
2/18/2020	REK	Forwarded Trial Plan along with thoughts to T Loanzon	0.5
2/18/2020	REK	Reviewed J Jaworski's data collection of Jowers subs to Skadden	0.5
2/18/2020	REK	Reviewed response from Skadden's L Haberman re subpoena	0.2
2/19/2020	REK	Sent document production to opposing side, dealing w technical glitches	2.0
2/19/2020	REK	Sorted through production in DWR	2.0
2/19/2020	REK	Conferred w/ R Sommers re loans accounting	0.5
2/20/2020	REK	Consider Jowers's defenses and counter claims, sending out additional discovery	0.5
2/20/2020	REK	Conferred w/ T Loanzon re upcoming call with J Bookhout about doc production	0.5
2/21/2020	REK	Conferred w/ T Loanzon re doc production call w/ J Bookhout	0.4
2/27/2020	REK	Reviewed 2nd RFPs to Jowers done by T Loanzon	0.4

3/4/2020	REK	Reviewed J Bookhout's email re production problems	1.0
3/4/2020	REK	Emailed MoFo re modified subpoena scope	0.5
3/5/2020	REK	Sorted through production in DWR	2.6
3/5/2020	REK	Drafted email response to J Bookhout for T Loanzon to send	1.5
3/5/2020	REK	Review J Thompson's trade secret case example	1.0
3/5/2020	REK	Call w/ MoFo's D Hendricks and follow-up email re subpoena	0.5
3/5/2020	REK	Call w/ T Loanzon re production and J Bookhout's 03-04 email	0.5
3/5/2020	REK	Exported and sent additional production volume to J Bookhout	0.4
3/5/2020	REK	Contacted DWR support re production issues	0.2
3/5/2020	REK	Followed up w/ GDC's M Hewett re subpoena	0.2
3/6/2020	REK	Emailed w/ Kirkland's W Pruitt following up on mine of 2/7 re subpoena/doc production to reiterate reduced requests and tell him MTC is coming	0.5
3/6/2020	REK	Receive and review response from Pruitt reiterating same arguments and telling us we need to ID candidates before he will look	0.4
3/6/2020	REK	Responded to Skadden's L Haberman re subpoena	0.3
3/7/2020	REK	Draft and send detailed follow-up email to W Pruitt re his arguments about why K&E need not respond, including case citations, etc. and also reiterated reduced requests and that a MTC is coming if they do not respond	2.5
3/8/2020	REK	Revised Fifth Circuit response brief	2.0
3/9/2020	REK	Drafted fundamental issue email for T Loanzon to send J Bookhout	1.5
3/9/2020	REK	Reviewed J Jaworski's work re loans spreadsheet	1.0
3/9/2020	REK	Revised T Loanzon's responses re interrogatories	1.0
3/9/2020	REK	Reviewed email from J Bookhout about production	0.6
3/9/2020	REK	Call w/ Skadden's L Haberman re subpoena scope	0.5
3/9/2020	REK	Emailed w/ MoFo's D Hendricks re subpoena, reviewed received production	0.5
3/10/2020	REK	Call w/ T Loanzon, R Mort & J Jaworski re discovery organization	1.0
3/10/2020	REK	Reviewed J Jaworski's "Evan Loan Detail" spreadsheet	1.0
3/10/2020	REK	Organized key production docs in dropbox	0.5
3/10/2020	REK	Followed up w/ J Bookhout re production	0.4
3/10/2020	REK	Reached out to DWR re production issues	0.4
3/10/2020	REK	Review email from J Bookhout re production format	0.2
3/11/2020	REK	Begin draft of MTC Kirkland and Jowers	3.5
3/11/2020	REK	Studied issue and conferred w DWR Support to confirm our production was industry standard after J Bookhout raised issues again	1.0
3/11/2020	REK	Responded to J Bookhout re production issues	0.5
3/11/2020	REK	Call w/ J Jaworski & R Sommers re Evan Loan Detail	0.3
3/12/2020	REK	Continued communications w/ J Bookhout re production issues	0.5
3/13/2020	REK	Review, edit, and approve responses to Jowers's responses and objections to MWK's 1st RFP and rogs done by T Loanzon	1.0
3/13/2020	REK	Reviewed J Jaworski's work on compiling/organizing RFPs, RFAs and Interrogatories in Dropbox	0.5
3/13/2020	REK	Reviewed Skadden's production from L Haberman and note to file	0.4
3/15/2020	REK	Drafted declaration of REK for use with motion to compel	3.0
3/15/2020	REK	Reviewed evidence in DWW related to placement of candidates at Latham, DLA, and Skadden by Jowers	1.5
3/15/2020	REK	Prepared exhibits for declaration	1.0
3/15/2020	REK	Cont'd drafting MTC Jowers and K&E and edited and revised first part	0.5
3/16/2020	REK	Discussed MTC Jowers and K&E	0.5
3/16/2020	REK	Planned for service on Legis	0.5
3/17/2020	REK	Reviewed GDC's production from M Hewett	1.0
3/19/2020	REK	Continued drafting and revising MTC Kirkland & Jowers	2.5
3/23/2020	REK	Continue to draft and revise MTC Jowers and K&E responses	4.6



3/24/2020	REK	Continue to draft and revise the MTC Jowers and Kirkland to respond to discovery requests and prep REK declaration	3.7
3/25/2020	REK	Finalize MTC Jowers and K&E re discovery responses [143]	2.8
3/25/2020	REK	Finalize decl. of REK, other exhibits to Motion and declaration and file same	2.7
3/25/2020	REK	Begin draft Legis Ventures Motion for Substituted Service	2.4
3/26/2020	REK	Continue draft of Motion for Substituted Service on Legis	2.5
3/26/2020	REK	Draft and file notice of service of MTC on Kirkland and Legis	1.0
3/26/2020	REK	Draft cover letter to W Pruitt, counsel for Kirkland. forwarding copy of MTC, prepare for mailing certified mail	1.0
3/26/2020	REK	Search for location and address of Alexis Lamb so that she can be served	1.0
3/26/2020	REK	Communicate with co-counsel re discovery plan	0.5
3/26/2020	REK	Draft and file proposed order on MTC	0.5
3/26/2020	REK	Research NY property records re same	0.5
3/26/2020	REK	Send email forwarding MTC to Legis Counsel DLA	0.2
3/27/2020	REK	Respond to W Pruitt email re MTC	1.5
3/27/2020	REK	Review J Bookhout's Letter to Counsel regarding discovery responses	0.5
3/28/2020	REK	Continue to research, draft and revise motion for substituted service on Legis	3.5
3/28/2020	REK	Begin work on MJoP under 12(c)	2.0
3/28/2020	REK	Confer w T Loanzon re responding to DLA discovery letter	0.5
3/29/2020	REK	Continue to draft and revise motion for substituted service on Legis and REK Declaration	4.5
3/29/2020	REK	Continue work on MJoP under 12(c)	1.5
3/30/2020	REK	Continue work on MJoP under 12(c)	3.5
3/30/2020	REK	Finalize motion for substituted service on Legis and file Motion [149] with REK Decl and proposed order	4.2
3/30/2020	REK	Research and consider best response to Pruitt at K&E in light of similar reported cases of 3d parties not participating in discovery	1.8
3/30/2020	REK	Draft and send further email communication to W Pruitt re production and withdrawing Motion to Compel	0.5
3/30/2020	REK	Receive, review and consider email from K&E's Will Pruitt re doc requests and req for extension to file motion	0.3
3/30/2020	REK	Review original response to subpoena from K&E received 12/18/19 to check whether K&E had objected to WD TX as place of compliance (they had not)	0.3
3/30/2020	REK	Receive and review text Order granting Unopposed Motion to Extend Time to File Response	0.1
3/31/2020	REK	Continue work on MJoP under 12(c)	3.5
3/31/2020	REK	Draft and send proposed stipulation re compliance to W Pruitt	0.7
3/31/2020	REK	Consider J Bookhout discovery letter response and redraft same	0.5
4/1/2020	REK	Confer w R Sommers and continue work on accounting of Jowers loans	2.5
4/1/2020	REK	Review research of J Thompson relevant to Motion JoP under 12(c)	1.0
4/1/2020	REK	Confer with co-counsel R Mort regarding case strategy	0.3
4/2/2020	REK	Finalized, uploaded and forwarded MWK VOL008 to J Bookhout	1.0
4/2/2020	REK	Receive, consider and communicate w/ M Bernardo about requested extensions for responses to MTC [143] and Motion for Alt Service on Legis [149]	1.0
4/2/2020	REK	Review Jowers's objections & responses to 2nd RFP, noting failure to comply w Rule 34(b)(2)(B)	0.3
4/3/2020	REK	Continue to draft and revise Motion for JoP under 12(c)	4.5
4/3/2020	REK	Research standing of co-defendants to contest service on others and write letter to opp counsel asking them to articulate how Jowers has standing to contest service on Legis, approve extension request re Motion [143] to Compel, and confer re pushing deadlines/scheduling order	1.5
4/3/2020	REK	Receive and review Jowers Motion [150] for extensions to respond to service motion [149] and MTC [143]	0.2
4/5/2020	REK	Continue to draft and revise Motion for JoP under 12(c)	4.5

4/6/2020	REK	Continue to draft and revise Motion for JoP under 12(c) and send to R Mort for review	4.5
4/6/2020	REK	Revise draft of Motion for JoP under 12(c) some more, finalize, and file	3.0
4/6/2020	REK	Review work of R Sommers on the loan accounting	0.5
4/6/2020	REK	Confer w T Loanzon re his review of Jowers discovery responses (lacking substance)	0.2
4/6/2020	REK	Receive and note text Order referring Motion for Service by Publication to J Austin	0.1
4/7/2020	REK	Draft and send Kirkland subpoena, protective order and stipulation re compliance to K&E counsel C Gonzalez at Grotefeld Hoffmann, as well as extensive email re prior communications with W Pruitt	2.5
4/7/2020	REK	Draft response to J Bookhout re failure to produce a single document or give a date when he would	0.5
4/7/2020	REK	Organize key discovery in dropbox	0.5
4/7/2020	REK	Receive and review correspondence between T Loanzon and J Bookhout's re Jowers 2nd RFP responses	0.5
4/8/2020	REK	Pull cases and notes cited by K&E and Jowers in their responses and begin to review for reply	1.5
4/8/2020	REK	Receive and review Jowers Response [156] to MTC [143]	1.5
4/8/2020	REK	Receive and review K&E response [155] to MTC [143]	1.5
4/8/2020	REK	Drafted letter to US District Clerk re Legis Ventures subpoena	1.0
4/8/2020	REK	Correspondence w J Bookhout re Jowers Samsung cloud account	0.5
4/8/2020	REK	Further communication w/ J Bookhout re 2nd RFP	0.5
4/8/2020	REK	Follow up email to K&E counsel C Gonzalez re stipulation, consider reply saying documents already produced, and respond re no docs received yet	1.2
4/8/2020	REK	Receive and review production of docs K&E's W Pruitt and compare to notes re known placements	1.0
4/8/2020	REK	Receive, review, and consider Jowers Motion [154] for entry of amended sch order	0.3
4/9/2020	REK	Further work gathering discovery materials and reviewing the accounting of Jowers's loans	2.0
4/9/2020	REK	Outline Reply brief iSo MTC [143] and research various issues raised by response	2.5
4/9/2020	REK	Prepare subpoena to Cooley LLP, draft cover letter and send to Cooley GC Anne Mooney	1.5
4/9/2020	REK	Correspond w J Bookhout re Kirkland's discovery from W Pruitt that Jowers didn't produce	1.0
4/9/2020	REK	File return of service (letter) [158] showing service of docs re Rule 4(f) on Legis	0.5
4/9/2020	REK	Receive and respond to another email from J Bookhout accusing us of not following Rule 45	0.5
4/9/2020	REK	Receive and review Order [157] re Amended Scheduling Order	0.5
4/9/2020	REK	Attn to adding docs disclosed by K&E to RFA's to Jowers	0.3
4/9/2020	REK	Email process server in Miami are serving subpoenas on A Lamb and Legis	0.3
4/9/2020	REK	Receive and review text Order referring Motion to Quash and Motion for Protective Order to Magistrate	0.1
4/10/2020	REK	Begin drafting Reply iSo MTC [143]	3.0
4/10/2020	REK	Prep subpoenas for docs to A Lamb, Legis, and Jowers Langer	1.5
4/10/2020	REK	Prepare subpoena to Adam Langer in NYC	1.0
4/10/2020	REK	Draft cover and send subpoena to Cooley agent	0.7
4/10/2020	REK	Correspond w process server in Miami re serving same	0.5
4/10/2020	REK	Find and send to NYC process server	0.5
4/10/2020	REK	Look up Cooley registered agent w TX SoS records	0.3
4/10/2020	REK	Receive email from and set up call w A Mooney, Cooley GC	0.3
4/11/2020	REK	Research and draft reply iSo MTC [143]	4.5
4/13/2020	REK	Draft and revise Reply iSo MTC [143]	4.0

4/13/2020	REK	Confer with T Loanzon re issues with Jowers responses to RFAs and RFPs by email and review draft letter to opp counsel	1.0
4/13/2020	REK	Review file and send J Thompson instructions re additional discovery needed	0.5
4/13/2020	REK	Organize and send to J Bookhout subpoenas being served on Cooley, Lamb, and Langer	0.5
4/13/2020	REK	Receive proof of service on Langer, file, and send to R Mort	0.3
4/13/2020	REK	Follow up email to A Mooney, GC of Cooley re subpoena	0.2
4/13/2020	REK	Receive and note K&E's proposed order on Motion to Quash	0.1
4/14/2020	REK	Continue work on Reply iSo MTC	3.5
4/14/2020	REK	Final review of doc production, then prepare dropbox link for files for T Loanzon to send to J Bookhout	2.2
4/14/2020	REK	Receive and review text Order mooted Jowers Motion [150] for Extension of Time to File Response/Reply to MTC	0.1
4/15/2020	REK	Compile correspondence w W Pruitt of K&E for REK Decl., prepare declaration, and file Reply [160] iSo MTC [143]	4.5
4/15/2020	REK	Continue drafting, finalize Reply iSo MTC [143]	2.0
4/15/2020	REK	Check Dropbox and send note to T Loanzon re opp counsel has not downloaded data	0.2
4/16/2020	REK	Find and engage Austin process server for service on Cooley registered agent located in Austin, prepare and send instructions and subpoena package	1.0
4/16/2020	REK	Receive and consider notice from process server of failed attempt to serve A Lamb in Miami w Legis subpoena	0.2
4/17/2020	REK	Email J Jaworski & R Sommers re loan updates	0.5
4/17/2020	REK	Call w/ R Sommers re Evan Loan Accounting (.5, no charge) and updates to spreadsheet re same	2.3
4/17/2020	REK	Confer w Tristan and Ray re discovery production (.5, no charge)	0.0
4/20/2020	REK	Follow up w process server in Miami re service on A Lamb for Legis subpoena	0.5
4/20/2020	REK	Receive and consider affidavit of service on Cooley agent from process server in Austin	0.2
4/21/2020	REK	Receive and consider email from M Bernardo w Amended Responses to RFA's	0.5
4/21/2020	REK	Confer w T Loanzon re Def continuing refusal to respond (.5, no charge)	0.0
4/23/2020	REK	Prepare and file Notice [164] of service of subpoenas on Legis through Dist Clerk via Rule 4(f)	0.5
4/24/2020	REK	Receive and review reply written by Micala Bernardo accusing REK of lying about cert issue	0.5
4/24/2020	REK	Email to J Bookhout regarding his false certificate of conference on Jowers's [165] Motion for Prot Order w request to withdraw same	0.5
4/25/2020	REK	Continue to research, draft, and revise Reply iSo MJoP under 12(c)	4.5
4/25/2020	REK	Exchange of emails w M Katz re his staff failure to conference motion issue	1.0
4/25/2020	REK	Reply to M Bernardo at DLA re inaccurate cert of conference on motion filed by her	0.3
4/25/2020	REK	Receive and review Jowers's [167] Supp Cert of Conference	0.2
4/26/2020	REK	Continue to research, draft, and revise Reply iSo MJoP under 12(c)	4.3
4/26/2020	REK	Begin drafting Response to Jowers's [165] Motion for Prot Order and to Quash Subpoenas	4.0
4/27/2020	REK	Revise, finalize, and file Reply [169] in support of MJoP under 12(c)	4.4
4/27/2020	REK	Continue drafting response to [165] Motion for PO and to quash subpoenas	2.5
4/27/2020	REK	Receive and review Order [168] on Motion [143] to Compel, mooted K&E Motion for Prot Order [155]	1.0
4/28/2020	REK	Continue drafting Response to [165] Motion for PO and to quash subpoenas	2.5
4/28/2020	REK	Gather correspondence for notice to Court of communications regarding Motion [165] for PO and draft Notice to Court re same	2.0
4/28/2020	REK	Receive and review Order [170] re Motion [165] for PO setting hearing for 5/1 and cease work on response to Motion [165] to quash subpoenas	0.2
4/29/2020	REK	Finalize and file Notice [171] re Motion [165] communications w counsel	0.5
4/30/2020	REK	Send Order [168] on Motion to Compel to A Mooney at Cooley for her information w cover note	0.2



5/1/2020	REK	Prepare for an attend hearing before Judge Austin by Zoom re discovery issues	1.0
5/1/2020	REK	Receive and review Order [173] re Motion [165] for Protective Order	0.2
5/1/2020	REK	Receive and review Order [172] re Minute Entry for proceedings held before Judge Andrew W. Austin: Discovery Hearing held on 5/1/2020	0.1
5/4/2020	REK	Receive and review text Order mootng Motion [149] for Substitute Service on Legis of Subpoenas	0.1
5/6/2020	REK	Receive message from and respond to A Mooney re extension for subpoena response, agreeing to 5/25 response date	0.1
5/8/2020	REK	Receive and review Order [174] re Motion [166] to Appear Pro Hac Vice for Attorney Robert Tauler for Evan P. Jowers	0.1
5/14/2020	REK	Receive and review extensive email from J Bookhout re trade secrets/confidential information interrogatories and RFAs	2.0
5/14/2020	REK	Receive and review email from J Bookhout re volumes 7-10 production issues	0.5
5/18/2020	REK	Respond to J Bookhout re production and issues raised on 5/14	0.2
5/19/2020	REK	Receive and review email from J Bookhout re outstanding discovery items	0.5
5/20/2020	REK	Finish drafting Response re Discovery Issues Raised 5/8 - 5/14	4.0
5/20/2020	REK	Receive and review followup email from J Bookhout re 5/19 email, respond that it's coming	0.4
5/20/2020	REK	Forward response doc along with verification of Rogs to J Bookhout	0.2
5/21/2020	REK	Confer w A Mooney of Cooley re response and agree to 5/29 as response date	0.3
5/22/2020	REK	Review Notice of Subpoenas along w/ attachments from J Bookhout for D Roark, J Hopper, J Ball, K Loanzon & J Chin Somers	1.0
5/22/2020	REK	Comfirm with recipients its OK to represent them re Subpoenas	0.5
5/22/2020	REK	Respond to J Bookhout re representation	0.1
5/25/2020	REK	Telcon w R Tauler re case, his entry into case, potential for settlement, need for extension to respond to discovery ordered by Court	1.0
5/25/2020	REK	Receive and respond to follow up email from R Tauler	0.3
5/27/2020	REK	Receive from R Tauler and review Jowers Langer responses to subpoena, Jowers Supp Resp Rogs	0.5
5/28/2020	REK	Receive and download doc production from R Tauler	0.2
5/29/2020	REK	Telcon w A Mooney re Cooley production from subpoena, receive and review Cooley response	0.5
5/30/2020	REK	Prepared responses to third party subpoenas sent to Daniel Roark, Jack Hopper, Jason Ball, Katherine Loanzon, and Jessica Chin Somers	2.5
5/30/2020	REK	Prepared responses for service this week	1.0
	REK		
5/30/2020	REK	Edited and redrafted the 2nd interrogatories to Jowers from MWK to call for all information on placements	0.4
5/30/2020	REK	Further review of Cooley response and notes to file re candidates placed	0.3
5/30/2020	REK	Reviewed the responses of Cooley to our Subpoena, sent note to RWM and TL regarding same	0.3
5/30/2020	REK	Found relevant email in Jowers email box	0.2
5/30/2020	REK	Researched the limits of third party discovery (refresher)	0.2
5/30/2020	REK	Added to the spreadsheet the damages	0.1
5/30/2020	REK	Considered motion to quash	0.1
6/1/2020	REK	Receive Jowers's 2nd RFP's and review	0.5
6/1/2020	REK	Receive J Bookhout Motion to Withdraw as Counsel and request to confirm non-opposition, consider and respond	0.3
6/1/2020	REK	Receive and download doc production from R Tauler	0.2
6/1/2020	REK	Receive and review text Order mootng Jowers MTD [109]	0.2
6/3/2020	REK	Finalize review of, upload, and send MWK Volumes 007, 009, 010, and 011 to opp counsel	3.0
6/4/2020	REK	Forward Notice to R Mort, T Loanzon & J Thompson w cover note	0.3
6/4/2020	REK	Receive and review Notice of Subpoenas to MWK former employees from L Stein	0.2
6/4/2020	REK	Receive and review Order [176] re Marc D. Katz, James C. Bookhout and Marina Stefanova's Motion [175] to Withdraw as Attorney for Defendant Evan P. Jowers	0.2

6/5/2020	REK	Prepare objections and responses from MWK Employees to the subpoenas sent by Jowers seeking their private information, send to R Tauler	2.0
6/10/2020	REK	Prepare MWK 2nd Rogs and 3d RFPs to Jowers / RPGP's 1st RFAs, RFPs and Rogs to Jowers, send to R Tauler	4.0
6/11/2020	REK	Receive, consider, and respond to R Tauler email asserting RPGP is not entitled to send discovery and seeking telcon re same	0.5
6/12/2020	REK	Receive further email from R Tauler seeking telcon re RPGP right to send rogs and consider by reviewing pleadings for counts against RPGP, reviewing Jowers's prior discovery, counting the answers that Jowers has sent to Rogs so far, and writing a formal email to Tauler to explain our position	2.0
6/14/2020	REK	Email J Jaworski instructions re Latham and DLA production	0.5
6/15/2020	REK	Review discovery and draft email to R Tauler re discovery gaps, attached S Kang email as proof	1.6
6/15/2020	REK	consider plan for deposing former employees if Jowers goes through w depositions of those employees	1.0
6/15/2020	REK	Respond to R Tauler need for resend of prior volumes by recreating the upload	0.5
6/15/2020	REK	Review evidence from J Jaworski re missing B Su production from Jowers	0.5
6/15/2020	REK	Review law on felony conviction admissibility to impeach character	0.5
6/15/2020	REK	Email R Tauler re his subpoenas to former employees of MWK and need to know when he plans them	0.4
6/16/2020	REK	Continue to review docs produced by Jowers and edit email re discovery gaps	3.5
6/16/2020	REK	Receive and begin review of Jowers's Motion [177] for JoP under 12(c), pulling cases cited by Jowers and reviewing Jowers's 3d party beneficiary args	3.0
6/16/2020	REK	Send email to R Tauler re discovery gaps, AEO issue	2.5
6/16/2020	REK	Further attention to Tauler insistence that he take depositions by Zoom of former MWK employees, researching precedents, considering, and responding	2.0
6/16/2020	REK	Review protective order and respond	1.5
6/16/2020	REK	Correspond w Tauler re his insistence that REK had violated protective order by looking at AEO documents	1.5
6/16/2020	REK	Send R Tauler objections to his notice of intent to depose 14 former employees	0.5
6/17/2020	REK	Continue reviewing 3d party beneficiary arguments and Florida fictitious name args re 12(c) Motion [177]	3.0
6/17/2020	REK	Further extensive correspondence w R Tauler re Meet and Confer re AEO issue	2.5
6/17/2020	REK	Review M&C letter from R Tauler re purported violations of confidentiality order and depo designations of Tauler and review and consider prot order	1.5
6/17/2020	REK	Email Tauler re telcon w extensive review of issues, including continuing failure to produce docs ordered to be produced	1.0
6/17/2020	REK	Review Jowers emails from J Jaworski, give instructions for AEO docs	0.5
6/18/2020	REK	Draft letter to R Tauler re improperly marked docs challenging designations under PO	1.5
6/18/2020	REK	Draft letter to Tauler re qualified person designations and previous comms w Bookhout re PO amendment	1.3
6/18/2020	REK	Telephone conference w R Tauler from his M&C letter re AEO designations and qualified persons to review	0.7
6/18/2020	REK	Run searches on AEO marked documents to ID which docs were marked AEO by Tauler/Jowers	0.5
6/18/2020	REK	Send confirming email to Tauler re his intention to depose former MWK employees	0.3
6/19/2020	REK	Continued research related to responding to Motion [177] for JoP - trade secret ownership vs possession, 2017 changes to TUTSA, differences to FUTSA, ownership under DTSA	5.0
6/19/2020	REK	Received and reviewed Jowers's 2nd Rogs to MWK and 3rd RFP to MWK, make notes re objections and shell for responses	1.5
6/23/2020	REK	Continue research re responding to Motion [177] for JoP under 12(c) - validity of assignments under TX law, enforcement by successor of noncompetes in FL, interim final jdgmt availability	4.0
6/23/2020	REK	Receive and review Order [178] re Second Amended Emergency Order in Light of the COVID-19 Pandemic	0.1

6/24/2020	REK	Continue work on issues raised Motion [177] for JoP under 12(c), gathering and selecting cases for response	3.0
6/24/2020	REK	Receive and review extensive "meet and confer" letter from Tauler attacking discovery responses of MWK	1.0
6/24/2020	REK	Conference 14 day extension to response deadline for Motion [177] for JoP under 12(c), prepare extension motion and file	0.5
6/24/2020	REK	Receive and consider letter from R Tauler changing prior designation under PO of placement info he produced	0.5
6/24/2020	REK	Receive and review Order [179] re unopposed Motion for Extension of Time to File Response/Reply as to Motion [177]	0.1
6/25/2020	REK	Outline response to Response to Motion [177] for JoP under 12(c)	2.5
6/25/2020	REK	Correspondence w/ R Tauler & R Mort setting up telcon for 6/26	1.5
6/25/2020	REK	Receive and review Jowers responses to MWK 1st Revised Rogs	0.5
6/25/2020	REK	Review Meet and Confer Letter re AEO for Response to MWK's Rog 1 from R Tauler	0.5
6/25/2020	REK	Receive and review text Order granting Motion [179] for Extension of Time to File Response/Reply to [177] until 7/14	0.1
6/26/2020	REK	Begin draft of response to Motion [177] for JoP under 12(c)	2.5
6/26/2020	REK	Receive and review Jowers Motion [180] to Enforce PO, including reading cited cases and conferring w R Mort re same	2.0
6/26/2020	REK	Telcon w/ R Tauler re outstanding issues	0.5
6/27/2020	REK	Email to file and co-counsel re evidence re S Kang placement	0.5
6/29/2020	REK	Continue w draft of response to Motion [177] for JoP under 12(c)	3.5
6/29/2020	REK	Begin to draft response to PO Motion [180]	3.0
6/29/2020	REK	Receive and review text Order referring Motion [180] re Protective Order to J Austin	0.1
6/30/2020	REK	Continue to research, draft, and revise re Response to Motion [177] for JoP under 12(c)	3.5
6/30/2020	REK	Continue to draft response to Prot Order Motion [180]	3.0
6/30/2020	REK	Prep letter for T Loanzon to send to R Tauler and confer w T Loanzon re same	2.0
6/30/2020	REK	Email to R Tauler re discovery responses, telcon, and forwarding prior messages to J Bookhout re AEO issues	1.0
6/30/2020	REK	Consider status and email T Loanzon about followup re MWK's response to Jowers's responses and objections	0.3
6/30/2020	REK	Set up telcon for Thursday 7/2 w R Tauler and T Loanzon	0.2
6/30/2020	REK	Confer w T Loanzon re lack of response to his 3/13 email re deficient discovery responses (no charge)	0.0
7/1/2020	REK	Continue to research, draft, and revise response to Motion [177] for JoP under 12(c)	4.0
7/1/2020	REK	Revise draft of responses to Jowers's 2nd RFPs	1.0
7/1/2020	REK	Draft response to Tauler re Tauler letter on discovery issues and M&C	0.5
7/1/2020	REK	Receive and consider letter from R Tauler re Jowers responses to Rog 1 re candidates purporting to de-designate as AEO	0.5
7/1/2020	REK	Receive, review, and consider Tauler letter to T Loanzon seeking to start new M&C re bulk designations as AEO by Tauler/Jowers	0.5
7/1/2020	REK	Review and consider R Tauler's response re issues in prep for upcoming M&C	0.5
7/2/2020	REK	Research and outline draft response to Jowers Motion [181] on AEO issues	
7/2/2020	REK	Receive and review Jowers's Motion [181] re AEO designation issues and consider issues	2.0
7/2/2020	REK	Review, consider, and respond to emails from Tauler re AEO designation issues	1.5
7/2/2020	REK	Conference call with Tauler and Loanzon re Jowers' discovery	1.3
7/2/2020	REK	Telephone conf with co-counsel re discovery (no charge)	0.0
7/3/2020	REK	Draft response to Jowers AEO Motion [181]	
7/5/2020	REK	Continue research, drafting reply to 12(c) Motion of Jowers	
7/6/2020	REK	Continue drafting response to Jowers's Motion to Enforce Prot Order [180] then finalize and file	5.0

7/6/2020	REK	Continue to research and draft response to [181]	4.0
7/6/2020	REK	Prepare declaration of R Kinney and exhibits for response to Motion [180]	1.7
7/6/2020	REK	Receive and review Order referring [181] MOTION to J Austin	0.1
7/7/2020	REK	Continued drafting Response to Motion [181] re AEO designations	4.5
7/7/2020	REK	Prepare declaration of R Kinney iso response to Jowers' Motion [181] re AEO designations	1.8
7/7/2020	REK	Finalize and file Response [183] to Motion [181]	0.5
7/7/2020	REK	Follow up with M Roskoski at Latham re outstanding request for additional docs	0.5
7/8/2020	REK	Draft and send email to R Tauler re Scheduling Order Amendment offering date proposals	1.0
7/8/2020	REK	Review T Loanzon's email to R Tauler re MWK's Request for a Supp/Amended Response	0.1
7/9/2020	REK	Begin outline of response to MTC [184] and assemble research questions re discovery	1.5
7/9/2020	REK	Receive and review [184] Jowers MTC discovery responses and docket deadline for response and pull and review treatise cited	1.5
7/9/2020	REK	Attention to correspondence btwn counsel re extensions and compliance w local rules re motions	0.5
7/10/2020	REK	Consider Jowers discovery responses and how best to bring to R Tauler attn	0.5
7/10/2020	REK	Draft and file unopposed extension motion [184] re response to Motion [185]	0.5
7/10/2020	REK	Attention to correspondence between T Loanzon & R Tauler	0.2
7/10/2020	REK	Confer by email R Tauler to req extension to respond to MTC [184]	0.2
7/10/2020	REK	Receive and note referral of [184] MOTION to Compel to Judge Austin	0.1
7/10/2020	REK	Receive and review text Order referring [184] MTC to J Austin	0.1
7/11/2020	REK	Continue to research, draft and revise response to M for JoP under 12(c) [177]	5.5
7/11/2020	REK	Read and study cases on trade secret damages and draft memo re same	3.5
7/12/2020	REK	Email T Loanzon re upcoming call w/ R Tauler on 7/13	0.1
7/13/2020	REK	Continue drafting and revising response to Jowers's M for JOP under 12(c) [177] and send to R Mort for final review	6.0
7/13/2020	REK	Consider outstanding discovery issues and note to file re same	0.5
7/13/2020	REK	Email R Tauler re Scheduling Order Amendment, review response and confer w co-counsel	0.5
7/13/2020	REK	Receive and note text Order granting Motion [185] for Extension of Time to File Response/Reply to Jowers MTC [184] to 7/24	0.1
7/14/2020	REK	Finish drafting, finalize, and file Response [187] in opp to Jowers 12(c) Motion [177] and Declaration of REK	3.5
7/14/2020	REK	Receive and review Jowers' Reply [186] in support of Motion [180] re the AEO designations and exhibits	1.0
7/15/2020	REK	Attn to email correspondence between R Tauler & T Loanzon re scheduling order amendment	1.0
7/16/2020	REK	Send emails to R Tauler re no responses to RPGP discovery requests sent 6/10	0.5
7/17/2020	REK	Draft and revise motion to extend deadlines in sch order	2.0
7/17/2020	REK	Consider and research re Jowers's argument that we exceeded 25 rogs	1.5
7/17/2020	REK	Receive and review Responses & Objections to MWK (2nd Rogs, 3rd RFPs) & RPGP (1st Rogs, RFPs, RFAs)	1.0
7/20/2020	REK	Draft and revise response to Jowers's MTC [184]	4.0
7/20/2020	REK	Draft Notice and Proposed Sched Order and file [190]	1.0
7/20/2020	REK	Finalize and file Opposed Motion [189] to extend Sched Order	1.0
7/21/2020	REK	Continue to review discovery, draft and revise response to Jowers's MTC [184]	2.5
7/21/2020	REK	Receive and review Jowers's Reply [191] iso his Motion [177] for JoP under 12 (c), pull and review cases cited	2.0
7/21/2020	REK	Attn to correspondence between R Tauler & T Loanzon re discovery requests	0.7
7/21/2020	REK	Draft response letter to R Tauler	0.5
7/22/2020	REK	Draft and revise responses to interrogatories and RFPs sent by Jowers in June	3.0

7/22/2020	REK	Draft, revise, and send to co-counsel draft reply in support of Motion [189] to extend scheduling order	2.5
7/22/2020	REK	Instruct J Jaworski re research needed re candidates touched by Jowers and Y Vinokurova prior to departing	0.5
7/22/2020	REK	Receive and review Jowers's Opp [192] to Motion [189] to extend sched order and attachments	0.5
7/22/2020	REK	Review work product of J Jaworski	0.5
7/22/2020	REK	Attn to followup by T Loanzon re discovery requests to assist his prep for M&C tomorrow	0.2
7/23/2020	REK	Continue to revise, then file Reply [193] in support of Motion [190] to amend sched order	3.0
7/23/2020	REK	Continue to review documents produced in case by Jowers and 3d parties	2.5
7/23/2020	REK	Review and edit T Loanzon letter to opp counsel following up on disc issues, including conferring w T Loanzon and reviewing relevant responses	2.0
7/23/2020	REK	Attn to email between T Loanzon and R Kohn re M&C	1.0
7/23/2020	REK	Review J Thompson memo re evaluation of discovery responses	0.5
7/24/2020	REK	Continue to draft and review response to Jowers Motion [184] to Compel and Declaration of REK	5.0
7/24/2020	REK	Finalize and send Discovery Responses & Supplements to Jowers discovery requests and verification	2.5
7/24/2020	REK	Assemble exhibits for declaration	1.5
7/24/2020	REK	Telecon w/ R Tauler, R Kohn and co-counsel re MTC	1.0
7/24/2020	REK	Finalize and file Response [194] to Jowers MTC [184]	0.4
7/24/2020	REK	Attn to response from R Kohn to T Loanzon re their call today	0.3
7/24/2020	REK	Draft proposed order	0.2
7/25/2020	REK	Research re interrogatory limits and other cases and note to file	2.0
7/26/2020	REK	Background report on P Gutensohn, review, and send info on criminal background to co-counsel	1.0
7/26/2020	REK	Draft email for T Loanzon to send to R Kohn	1.0
7/27/2020	REK	Detailed review of discovery responses by Jowers and begin to draft and revise extensive M&C letter to Tauler	4.0
7/27/2020	REK	Attn to email from T Loanzon re responses to Jowers's Response/Objections	0.5
7/28/2020	REK	Continue to conduct detailed review of discovery responses and draft M&C letter to Jowers's counsel	4.5
7/28/2020	REK	Consider notes of J Thompson re M&C letter draft and incorporate her feedback	0.5
7/29/2020	REK	Continue to work on detailed M&C letter re Jowers's deficient responses to discovery requests	4.5
7/29/2020	REK	Receive and review Jowers's Reply [194] iso MTC [184] and pull/read cases cited by reply	2.0
7/29/2020	REK	Confer w J Thompson re her additions to M&C letter (no charge)	0.0
7/30/2020	REK	Continue to draft roadmap of Jowers discovery response problems and send to R Tauler	4.0
7/30/2020	REK	Receive and review Jowers's Corrected Responses to MWK's 2nd RFPs, Supp Responses to MWK's Rogs and verification	2.5
7/30/2020	REK	Receive and review Order [196] granting our Motion [131] to Strike Jury Demand	1.5
7/30/2020	REK	Correspond w/ R Tauler re discovery responses & setting up a call	0.5
8/3/2020	REK	Prep for upcoming disc conf w Tauler	0.5
8/3/2020	REK	Receive and review Order [197] granting Motion [189] re Scheduling Order Deadlines and amended sched order [198]	0.5
8/3/2020	REK	Confer w co counsel R Mort re planning (no charge)	0.0
8/4/2020	REK	Telecon w/ R Tauler, R Kohn, and T Loanzon re Jowers discovery response problems	2.0
8/7/2020	REK	Create shell for responses to discovery req just received and begin drafting of responses	2.0
8/7/2020	REK	Receive and review Jowers's 3rd Rogs, 4th RFPs, consider same	2.0
8/8/2020	REK	Continue drafting of discovery responses	1.5



8/12/2020	REK	Receive and review R Tauler's M&C letter re problems w MWK discovery responses	2.0
8/14/2020	REK	Receive, review, and consider response to correspondence from R Tauler re M&C, respond to R Tauler offering dates week of 8/24, receive and consider his response and reply	1.5
8/19/2020	REK	Attn to R Tauler's email re M&C	1.0
8/20/2020	REK	Email correspondence w/ R Tauler re accepting service for R Sommers and setting up call re his M&C, then fielding multiple email messages from R Tauler re: confirming representation of R Sommers w responses	2.0
8/20/2020	REK	Receive and review subpoena to R Sommers, then confer re accepting service on her behalf	1.4
8/20/2020	REK	Confer w R Sommers re status and representation of her re Jowers subpoena	0.5
8/20/2020	REK	Follow up with M Roskoski at Latham regarding whether he found additional documents related to S Kang and Jowers's private email	0.2
8/21/2020	REK	Draft email to R Tauler re his failure to comply with my request that he not send a process server to home of R Sommers since we had accepted service, asking him not to do this again; receive/consider responses	1.5
8/21/2020	REK	Receive and review copies from R Tauler of subpoena to R Sommers and compare to prior subpoena copy and confer w R Sommers	1.0
8/23/2020	REK	Research re other cases involving R Tauler in view of his behavior, review R Tauler results in prior cases where he has used scorched earth discovery tactics	2.5
8/24/2020	REK	Receive and review Jowers's 5th RFP to MWK and Notice of 30(b)(6) Deposition of RPGP and research re inconsistent position on right to take 30(b)(6) deposition but lack of any right of RPGP to send discovery requests	2.5
8/25/2020	REK	Further research into other R Tauler cases (Wesco Ins. and case against his bookkeeper, Valerio)	1.5
8/25/2020	REK	Research re WDTX and requirements for PHV attorney to be associated w local counsel	1.0
8/25/2020	REK	Receive and consider and respond to email from M Roskoski re additional email found showing Jowers private email to Latham partners	0.7
8/26/2020	REK	Review R Tauler M&C letter of 8/12, draft and send email to R Tauler responding to issues in M&C letter of 8/12 specifically	2.5
8/26/2020	REK	Receive and review Jowers Supplemental Rule 26(a) Disclosure comparing candidates to those we know about	2.0
8/26/2020	REK	Consider schedule and email R Tauler re his unilateral Notice of 30(b)(6) Deposition to RPGP requesting alt dates, and attention to R Tauler and R Kohn emails on the same subject	1.0
8/26/2020	REK	Review and consider multiple response emails from R Tauler, consider priv log issue and draft response emails	1.0
8/26/2020	REK	Draft email again to R Tauler re this latest attempt to personally serve Sommers after she waived personal service of subpoenas and attention to responses of R Tauler re same subject	0.5
8/26/2020	REK	Confer w R Sommers re deposition subpoena she received by process server (no charge)	0.0
8/27/2020	REK	Call w/ R Mort re Tauler unannounced call re M&C and receive and review ensuing email messages re same	1.2
8/27/2020	REK	Review Outlaw Laboratories case order containing order warning R Tauler about "demonstrably false reps and args" and Cert Nutraceuticals case order saying Tauler failed to conduct a reasonable and competent inquiry and inform R Mort of same	0.7
8/27/2020	REK	Receive & review unilaterally scheduled Notice of Depo of P Gutensohn	0.5
8/27/2020	REK	Receive email from and respond to R Tauler re scheduling depo of R Sommers	0.4
8/28/2020	REK	Receive and review new unilaterally scheduled Notice of Depo of R Sommers	0.5
8/30/2020	REK	Attn to email correspondence between R Tauler & R Mort re RFP #148-149	0.3
8/30/2020	REK	Attn to R Tauler's email re RGP Depo Notice	0.1
8/31/2020	REK	Attn to R Tauler's email re RGP Depo Notice, consider sched order and calendars and draft email re comprehensive deposition schedule in case to R Tauler	1.5
8/31/2020	REK	Attn to email correspondence between R Tauler & R Mort re RFP #148-149	0.3
9/1/2020	REK	Draft and send email to R Tauler re depo timing/scheduling	1.0

9/1/2020	REK	Send email to R Tauler re comprehensive depo schedule proposal Receive and review Jowers's Motion [199] to Compel disc responses	1.0
9/2/2020	REK	Draft, revise, and send responses and objections of R Sommers to Rule 45 subpoena served 8/21	3.5
9/2/2020	REK	Draft and send email to R Tauler requesting extension of due date for response to MTC and attn to multiple reply emails from R Tauler refusing request and refusing to comply w local rules re deposition scheduling	1.5
9/2/2020	REK	Draft, revise, and file Opposed Motion to extend deadline to respond to MTC [199] in view of upcoming Labor Day holiday	1.5
9/2/2020	REK	Continue research re local rules on admission PHV and effect of admitted counsel signing PHV application then dropping out	1.5
9/2/2020	REK	Receive and consider response [201] IoT Motion [200]	0.5
9/2/2020	REK	Receive, review, consider further emails from R Tauler refusing extension request	0.4
9/2/2020	REK	Receive, review, consider and respond to R Tauler email accusing me of listing my employer incorrectly on TX Bar website	0.5
9/3/2020	REK	Prepare responses and objections of R Sommers to document subpoena served 10/9 and send to opp counsel	1.5
9/3/2020	REK	Final review, edit, and serve 2nd Rev Initial Disclosures, Responses to Rog 25, and R Sommers responses to doc subpoena on opp counsel	1.7
9/3/2020	REK	Receive and consider Jowers Reply [213] iso MTC [208]	1.0
9/3/2020	REK	Receive and consider Jowers's 2nd Amended Notice of Deposition to R Sommers and compare to last amended notice and subpoena and confer w R Sommers	0.5
9/3/2020	REK	Draft and revise reply in support of Motion [200] for extension of time to respond to MTC [199]	2.5
9/4/2020	REK	Continue to draft and revise response to Jowers MTC [199]	2.0
9/4/2020	REK	Final review and prepare MWK production VOL011 and VOL012 and upload/produce to opp counsel	3.5
9/4/2020	REK	Research to try to find motions to DQ counsel improperly added to case like R Tauler citing Nolan "broad discretion"	2.0
9/4/2020	REK	Prepare and send blank privilege log to R Mort for review then to opp counsel	0.3
9/4/2020	REK	Receive and review R Tauler email responding to rule 30(b)(6) depo date proposals, urging we "get on the telephone"	0.2
9/5/2020	REK	Continue drafting and revising response to MTC [199]	3.0
9/5/2020	REK	Further research issue of court potentially revoking improperly granted PHV admission and memo to file/R Mort	3.0
9/6/2020	REK	Attn to email from R Tauler confirming priv log blank	0.2
9/7/2020	REK	Attn to email from R Mort affirming priv log correct	0.1
9/8/2020	REK	Further revise, and file	6.5
9/8/2020	REK	Research issues and revise draft of response [204] to MTC [199], prepare exhibits, send to R Mort re his comments	2.5
9/8/2020	REK	Receive and respond to messages from R Tauler re prod of VOLO12 after checking status of download at Dropbox	0.7
9/8/2020	REK	Phone call to Court re status of extension and follow up email	0.5
9/8/2020	REK	Receive and review R Tauler M&C letter re rogs and rfps	0.5
9/9/2020	REK	Prep for deposition of P Gutensohn	1.0
9/9/2020	REK	Correspond w/ R Tauler re priv log & prod	0.5
9/9/2020	REK	Receive and review amended unilateral notices of deposition of R Sommers and RGP	0.2
9/10/2020	REK	Research re standing to attack assignments and note to file/R Mort	2.0
9/10/2020	REK	Attend video deposition of P Gutensohn noticed by Jowers - witness did not appear	1.0
9/10/2020	REK	Receive and review email from R Tauler following up on M&C re Rog 24, consider, and map out response	1.0
9/11/2020	REK	Receive and review Jowers Reply [205] iso MTC [199], pulling and reviewing cited opinion by J Austin	1.5
9/11/2020	REK	Attention to email from R Tauler reiterating desire to confer by telcon	0.5

9/15/2020	REK	Receive and consider video link email re upcoming R Sommers deposition unilaterally noticed by Jowers and consider same	1.0
9/16/2020	REK	Draft and send email to R Tauler re not appearing for his unilaterally noticed deposition and consider responses, including a cascade of vitriol toward R Mort btwn 10pm and 11pm	1.0
9/17/2020	REK	Receive and consider further crazy email from R Tauler re R Mort's other cases and what he should do in them	0.3
9/17/2020	REK	Receive and consider email from R Tauler re conferring on topics for RPGP deposition and R Mort response	0.2
9/17/2020	REK	Receive and review text Order granting Motion for Extension of Time to File Response to MTC [199]	0.1
9/21/2020	REK	Confer w R Sommers re schedule and draft/revise email re scheduling depositions to R Tauler	1.0
9/23/2020	REK	Receive, review and consider email from R Tauler attempting to confirm depositions of RPGP on 9/29	0.1
9/24/2020	REK	Receive and consider late-night response of R Tauler to R Mort email criticizing R Mort spelling	1.0
9/24/2020	REK	Receive and consider M&C letter from R Tauler about RFP 161 and R Sommers docs, then review prior responses and prep response to R Tauler to his M&C	1.4
9/24/2020	REK	Receive and consider court reporter confirmation re RPGP deposition unilaterally noticed by Jowers	0.1
9/25/2020	REK	Receive, review, and consider multiple emails from R Tauler re R Sommers deposition	2.0
9/28/2020	REK	Receive and respond to R Tauler email to court reporter confirming deposition tomorrow we said we would not attend	0.5
9/29/2020	REK	Receive and consider email from/to R Tauler saying he is at depositions we are not attending and will seek sanctions	0.5
9/30/2020	REK	Receive and review 4th RFPs from Jowers to MWK and R Mort response	0.8
10/1/2020	REK	Pull together lists of candidates and clients Jowers placed or serviced and create MWK 4th RFPs using same and send to R Tauler	4.5
10/1/2020	REK	Prepare draft of further email to R Tauler re scheduling depositions, including dates we are available, references to prior suggested dates, etc., finalize, and send	1.5
10/1/2020	REK	Revise and send 3d and final version of letter to WDTX adm committee re Tauler and call to confirm receipt by clerk	1.4
10/1/2020	REK	Receive and consider R Tauler M&C letter re his plan to seek sanctions for failure to appear at deposition by RPGP witness and R Mort response	0.2
10/1/2020	REK	Receive and note response of R Tauler to R Mort re Rog 25	0.1
10/2/2020	REK	Attention to email from R Tauler re RPGP depositions M&C and 4th RFPs and R Mort response	0.1
10/6/2020	REK	Attn: to further R Tauler and R Mort correspondence, conduct review of prior correspondence w R Tauler re basis for his assertion that REK or RWM misrepresented record of communications re depositions, draft and send email to R Tauler re same	2.0
10/6/2020	REK	Consider R Tauler email re M&C demand re sanctions/depositions and email R Tauler re prior offers of dates	0.5
10/6/2020	REK	Receive and review Notice [206] filed by Jowers re Florida fictitious name issue re Motion for JoP [177] and reconsider issue to decide if response needed	0.5
10/8/2020	REK	Begin creating response document	2.0
10/8/2020	REK	Receive and review MTC [207] by Jowers re rogs 23-24, RFPs 151-160 and exhibits	2.0
10/8/2020	REK	Receive and consider subpoena to R Sommers to testify 11/9 unilaterally noticed and confer w R Sommers re whether 11/9 still works	0.3
10/9/2020	REK	Attn to best method for proving up business records of 3d party witnesses; research re depositions vs business record affidavits	3.0
10/9/2020	REK	Receive and review depositions subpoena to R Sommers and compare doc req to last subpoena	2.0
10/9/2020	REK	Receive and review MTC [208] by Jowers vs MWK and R Sommers re RFP 161 and subpoena and exhibits, review prior comms w R Tauler re RFP161 and begin to prep response	2.0



10/9/2020	REK	Research re issues brought up by the MTC	2.5
10/11/2020	REK	Update chart of Jowers's known placements and consider chart and prior statements in 8/21 letter to R Tauler re discovery status	1.5
10/11/2020	REK	Receive and review response from R Tauler to depo date proposals of 10/1 and letter of 10/7 re deposition scheduling and respond	0.5
10/12/2020	REK	Continue to conduct research related to responding to MTC [207] and [208]	2.0
10/12/2020	REK	Prepare and send chart of known damages (placements) to Tauler	1.0
10/12/2020	REK	Follow up email to R Tauler req response to depo date proposals	0.1
10/13/2020	REK	Map issues requiring responses and begin work on responses to MTC [207] and [208]	2.0
10/13/2020	REK	Receive and review text Orders referring Motions to Compel [207] and [208] to J Austin	0.1
10/14/2020	REK	Further research and drafting of response to Jowers's 3rd MTC [207]	6.5
10/14/2020	REK	Review cases on "blockbuster interrogatories" req "all facts," research re responding to interrogatories w reference to specific docs	2.0
10/14/2020	REK	Pull and review Sedona Conf. materials on discovery for response brief	1.5
10/14/2020	REK	Review response to 1st motion to compel re response supplementation needed	1.0
10/15/2020	REK	Draft and revise response to MTC [208] and prepare declaration of R Sommers re same and send to R Sommers for review and electronic signature	3.5
10/15/2020	REK	Draft and revise response to MTC [207] and declaration of REK and proposed order and file	3.0
10/15/2020	REK	Email from R Tauler responding to 10/12 email w damages calculation saying he did not understand and consider same	0.4
10/15/2020	REK	Receive and review amended notice of deposition of R Sommers and compare to old version	0.3
10/15/2020	REK	Receive, consider email from R Tauler proposing we depose Jowers in Miami 10/26-11/6	0.1
10/16/2020	REK	Continue to draft then finalize response [210] to Jowers MTC [208] R Sommers	3.0
10/16/2020	REK	Prep conformed version of R Sommers declaration based on electronically signed one, prep proposed order, and file Response [210]	0.5
10/16/2020	REK	Receive, review and consider email from R Tauler re not understanding liquidated damages calculation, consider same and receive and review further email b/w R Mort and R Tauler re same subject	0.5
10/17/2020	REK	consider deposition planning for potential Jowers deposition	0.2
10/19/2020	REK	Confer w R Sommers and R Mort re Jowers Amended Notice of Dep of R Sommers, one attorney/witness rule, and depo procedure	1.0
10/19/2020	REK	Receive and consider doc subpoena of Jowers to P Gutensohn and Amended Notice of Deposition to R Sommers from Jowers	0.5
10/20/2020	REK	Attn to Digital Warroom size of database to attempt to lower cost of storage	0.5
10/20/2020	REK	Confer w R Sommers re deposition rules	0.2
10/21/2020	REK	Revise and supplement initial disclosures to add candidates and law firms	1.0
10/21/2020	REK	Prepare objections to amended document subpoenas to R Sommers	0.5
10/21/2020	REK	Review and backup/archive email from P Gutensohn account	0.5
10/22/2020	REK	Prepare and finalize 2nd Rev Initial Disclosures	1.5
10/22/2020	REK	Prep of R Sommers responses to doc subpoena	1.0
10/22/2020	REK	Receive and consider Reply [211] iso MTC [207] and Notice [212] of Errata re [211]	1.0
10/22/2020	REK	Prepare responses and objections to Jowers's rog 25	0.5
10/22/2020	REK	Review J Jaworski's work re initial disclosures	0.5
10/22/2020	REK	Review loan accounting previously prepared and edit for legibility	0.5
10/23/2020	REK	Prepare responses and objections of R Sommers to document subpoena served 10/9 and send to opp counsel	1.5
10/23/2020	REK	Final review, edit, and serve 2nd Rev Initial Disclosures, Responses to Rog 25, and R Sommers responses to doc subpoena on opp counsel	1.0
10/23/2020	REK	Receive, review, and consider Jowers Reply [213] iso MTC [208]	1.0

10/23/2020	REK	Receive and consider Jowers's 2nd Amended Notice of Deposition to R Sommers and compare to last amended notice and subpoena and confer w R Sommers	0.5
10/25/2020	REK	Prep notice of DWQ and Subpoena Duces Tecum to Cooley	3.0
10/25/2020	REK	Research and consider rules re deposition on written questions for authenticating 3rd party documents for trial	2.0
10/25/2020	REK	Review L&W email from/to Jowers to clients before resigning and consider authentication and use at trial of same	1.5
10/25/2020	REK	Prepare cover email to Cooley GC	0.8
10/26/2020	REK	Revise and edit DWQ for Cooley after conference w R Mort re same	2.0
10/26/2020	REK	Further revise DWQ to Cooley and begin work on DWQ to L&W	1.5
10/26/2020	REK	Prepare for production and produce MWK002 and MWK003 - follow up productions from Latham and produce to opp counsel	1.0
10/26/2020	REK	Prepare PX030 (Cooley) exhibits	1.5
10/26/2020	REK	Prep 5th RFP to Jowers based on Latham material and send to R Mort for review	0.2
10/27/2020	REK	Further work trimming down L&W production to essential documents	2.0
10/27/2020	REK	Receive and review Jowers's Motion for Sanctions [214] re failure to appear at RPGP deposition	2.0
10/27/2020	REK	Finalize and serve 5th RFPs on R Tauler	0.7
10/28/2020	REK	Draft and revise DWQ questions and prep exhibits for L&W, Kirkland, GDC, and Cooley	4.5
10/28/2020	REK	Further work reviewing and culling of the L&W production to essential case documents	3.5
10/28/2020	REK	Bates label docs we intend to use and prep slip sheets in order to help make the culled production easy for L&W's GC to review so as to confirm the docs match what they produced	0.5
10/28/2020	REK	Cover email and forward to M Roskoski, L&W GC	0.5
10/28/2020	REK	consider other firms/strategy	0.2
10/29/2020	REK	Prepare Gunderson, White & Case, Linklaters, A&O, Cleary, Baker & McKenzie, Covington, and Weil subpoenas (ao88b form), questions, and set up folder/docs for future service information	3.5
10/29/2020	REK	Continue work on DWQ preparation	2.0
10/29/2020	REK	Attn to service by cert mail of certain of the subpoenas	0.5
10/29/2020	REK	E-mail J Jaworski instructions for completing and serving more ao88b forms	0.5
10/29/2020	REK	Receive and consider response from L&W GC re DWQ and respond	0.1
10/30/2020	REK	Receive and note [214] Motion for Sanctions referred to J Austin	1.0
10/30/2020	REK	Compile and serve on counsel for Jowers 3d party subpoenas just sent	0.5
10/30/2020	REK	Receive and review Order for Tauler to Show Cause why he should not be sanctioned in Entech (CA) case and compare alleged conduct in that case to present case	0.5
10/30/2020	REK	Email J Jaworski subpoena for service with instructions, answer questions re same	0.4
10/30/2020	REK	Email M Hewett, GC office of GDC re additional questions	0.4
10/30/2020	REK	Receive and review Jowers's Responses to MWK's 4th RFPs (only objections-no responses otherwise) and file same	0.3
10/30/2020	REK	Receive and review depo subpoena to R Sommers and compare doc req to last subpoena	0.2
11/2/2020	REK	Personalized email messages to GCs of Baker McKenzie, Cleary, Covington, White & Case, A&O, Gunder, Weil, Linklaters forwarding subpoena courtesy copies and copies of PO [70] in this case	2.5
11/2/2020	REK	Review relevant rules and record and draft and revise Response [215] to Jowers's Motion for Sanctions [214]	2.5
11/3/2020	REK	Continue to review relevant rules and record and draft and revise Response [215] to Jowers's Motion for Sanctions [214]	2.5
11/3/2020	REK	Draft and revise REK Decl in support of [215] and compile exhibits	2.0
11/3/2020	REK	Attn to voicemail confirming proof of service, forward to J Jaworski	0.2
11/3/2020	REK	Receive and note depo dial in information for R Sommers deposition	0.1

11/4/2020	REK	Continue preparing Notices of DWQ to various firms	2.0
11/4/2020	REK	Receive and review Jowers doc subpoenas to Mofo, L&W, GDC, K&E, DLA Piper and research re propriety of same	1.5
11/4/2020	REK	And Skadden	1.0
11/4/2020	REK	Telcon w GC of Baker McKenzie re subpoena	0.5
11/4/2020	REK	Receive and respond to L Friedman email re subpoena to Cleary	0.2
11/4/2020	REK	Scheduling emails w R Sommers for her deposition	0.1
11/5/2020	REK	Continue work on preparing questions, notices of deposition by written question and exhibits to various firms	3.5
11/5/2020	REK	Prep R Sommers for deposition in office	2.0
11/5/2020	REK	Confer w E Zulkey re Baker & McKenzie subpoena response and review response	1.0
11/5/2020	REK	Email to R Tauler re improper notice of depositions and response from R Tauler	1.0
11/5/2020	REK	Finalize and send to R Tauler MWK's Notice of Deposition on Written Questions for Cooley, GDC, K&E, and Latham w exhibits	1.0
11/5/2020	REK	Receive from R Tauler and consider Jowers Notice of Deposition of Counsel Unlimited for 11/19 (unilateral)	0.5
11/5/2020	REK	Send DWQ notice w questions in draft to L&W GC office	0.2
11/6/2020	REK	Draft and revise additional RFPs to Jowers to try to get him to provide placement information	1.0
11/6/2020	REK	Further email w R Tauler re 30(b)(6) depositions	0.3
11/7/2020	REK	Draft and revise DWQ to Skadden	1.0
11/9/2020	REK	Attend deposition of Renee Sommers by video in office	7.5
11/9/2020	REK	Conduct research on remedies under the Stored Comm Act prohibiting subpoenas like the ones just sent by Jowers	2.0
11/9/2020	REK	Receive and review R Tauler letter designating additional blocks of docs "for counsel only", look up the docs involved, review R Mort response	1.0
11/9/2020	REK	Spoke to C Gillis at Weil about subpoena response extension	0.5
11/9/2020	REK	Receive and review doc production from E Zulkey at Baker & McK pursuant to subpoena	0.4
11/9/2020	REK	Receive and review Jowers's subpoena to Dropbox, Google, Bluehost, seeking access to storage and web servers of MWK	0.3
11/10/2020	REK	Draft and revise Motion to Quash Jowers's subpoenas violating Stored Comm Act	3.5
11/10/2020	REK	Work on simplifying accounting for loans spreadsheet	3.0
11/10/2020	REK	Receive and review Jowers Reply [216] re Motion for Sanctions	1.5
11/10/2020	REK	Research court reporting services with experience with DWQs	1.5
11/10/2020	REK	Call w/ J Pultman at A&O re subpoena	0.5
11/11/2020	REK	Continue drafting and revising Motion to Quash subpoenas	3.5
11/11/2020	REK	Further attention to loan accounting documentation	1.0
11/12/2020	REK	Draft and revise REK Decl in support of Motion to Quash and prepare proposed order	3.5
11/12/2020	REK	Research then send notice to R Tauler that his subpoenas violate the Stored Comm Act and request to withdraw, then attention to his responses demanding telcon	3.0
11/12/2020	REK	Edit, finalize and file Motion [217] to Quash subpoenas	2.5
11/12/2020	REK	Attn to loan notebook for depo and send J Jaworski instructions for letters to subpoena recipients; finalize loan spreadsheet	1.5
11/12/2020	REK	Email to R Tauler advising of our intention to file motion to quash if he will not withdraw illegal subpoenas and attn to response, attn. to response, and draft email for R Mort to send re SCA of 1986	0.5
11/12/2020	REK	Receive and review additional illegal subpoenas from Jowers to other stored comm providers of MWK	0.5
11/12/2020	REK	Receive and respond to Cleary re subpoena questions	0.2
11/12/2020	REK	Receive and review revised Jowers subpoena to Baker & McKenzie	0.1

11/13/2020	REK	Prepare letters to Google, Dropbox, and Endurance International who had received illegal subpoenas from Tauler advising of non-consent to disclosure under SCA	2.0
11/13/2020	REK	Receive and review email from R Tauler purporting to bulk-designate as AEO all docs related to the subpoenas and DWQs and research propriety of same	1.0
11/13/2020	REK	Receive and consider email from Google re receipt of subpoena and respond to same	0.5
11/13/2020	REK	Receive and note text Order referring Motion for Protective Order and Motion to Quash to Judge Austin	0.1
11/14/2020	REK	Review Jowers contract re duties of associate recruiter and consider effect	5.0
11/14/2020	REK	Research re Court statement in Order [87] on MTD re Jowers's explanation re candidates; careful review of Order [87] as road map for trade secret evidence needed	4.0
11/15/2020	REK	Review and collect specific evidence needed for proof of loan claims, mark, and catalogue w loan accounting	2.5
11/15/2020	REK	Research and consider whether to add breach of fiduciary duty claims at this time	2.0
11/15/2020	REK	Work on revised/edited accounting for loans spreadsheet	2.0
11/15/2020	REK	Review Jowers last commission spreadsheet and amounts credited	1.0
11/16/2020	REK	Make edits to loan accounting re interest for revolving loan	1.0
11/16/2020	REK	Receive and review Jowers Objection [218] to Motion [217] to Quash	0.5
11/16/2020	REK	Review correspondence, draft and file certificate [219] re conference	0.5
11/16/2020	REK	Receive and note emails from Endurance Int'l and Google re receipt of the Motion to Quash and non-action	0.3
11/17/2020	REK	Further work on editing, revising, and confirming backup for the accounting for loans	2.0
11/18/2020	REK	Receive and review draft of R Sommers deposition	1.5
11/19/2020	REK	Receive and review Jowers's Response [220] to Motion [217] to Quash and its five exhibits and consider replying	1.0
11/19/2020	REK	Receive and review court reporter confirmation of depo that R Tauler noticed for CU LLC and consider plan if court does not quash before date noticed	0.5
11/20/2020	REK	Telcon w J Pultman of A&O re subpoena and email correspondence confirming extension	0.5
11/20/2020	REK	Email from R Tauler "confirming" again the CU LLC depo	0.1
11/22/2020	REK	Further work on the accounting for loans and tying to specific exhibits	2.5
11/22/2020	REK	Research re TX B&C code applicability to loans	0.5
11/22/2020	REK	Note that 14 days have passed since DWQ questions were sent to R Tauler and consider next steps	0.3
11/23/2020	REK	Research re R Tauler late questions for DWQs and questions to non-noticed persons and best course of action in light of this	1.8
11/23/2020	REK	Check, finalize, create verification doc, and produce to R Tauler by email supplemental accounting for loans as response to rog 23	1.5
11/23/2020	REK	Receive and review Cleary responses to subpoena and note issues	1.5
11/23/2020	REK	Organize and label exhibits for loan proof and produce as supplemental production to R Tauler by email	1.0
11/23/2020	REK	Draft email templates for J Jaworski to send to contacts to get signatures re DWQs	0.5
11/23/2020	REK	Draft email to R Tauler and forward to R Mort for comment	0.5
11/23/2020	REK	Receive and consider Jowers's 2nd Am Notice of depo of Counsel Unlimited and email to R Tauler re his unilaterally noticed depo of Counsel Unlimited	0.5
11/23/2020	REK	Receive and consider Jowers's objections to DWQs of Cooley, GDC, K&E, and L&W	0.5
11/23/2020	REK	Review and comment on J Jaworski's list of subpoena firm contacts	0.2
11/23/2020	REK	Attn to White & Case subpoena and vm from GC Deb Levy	0.1
11/24/2020	REK	Receive and review responses and objections of Jowers to 5th RFPs	0.5
11/24/2020	REK	Receive and review A&O responses to subpoena and instructions to J Jaworski re adding to spreadsheet	0.4

11/24/2020	REK	Receive, consider, and respond to emails from R Tauler re loan accounting and forward supplemental verification	0.3
11/24/2020	REK	Receive and review email from W Pruitt at Kirkland re having received Jowers's objections to MWK Notice of DWQ; review and research issues related to objections to DWQs	1.2
11/25/2020	REK	Compile questions, cross questions, and subpoenas and send w cover letters to each of Cooley, Latham, K&E, and GDC	2.0
11/25/2020	REK	Work on trial proof outline for loans	2.0
11/25/2020	REK	Receive and review extensive email from R Tauler re protective order and depo and draft proposed response for R Mort	0.5
11/25/2020	REK	Telcon w C Gillis of Weil re subpoena, narrowing search	0.5
11/25/2020	REK	Receive and review emails between R Mort and R Tauler re scheduling	0.2
11/25/2020	REK	Response to W Pruitt w/ subpoena attached	0.2
11/27/2020	REK	Review Jowers Response [220] to Motion [217] and begin draft of reply in support of Motion	2.0
11/27/2020	REK	Review discovery responses received so far and confer w T Loanzon re discovery status	1.5
11/27/2020	REK	Confer w T Loanzon re results of 8/4 meet & confer w R Tauler	0.5
11/27/2020	REK	Obtain and review T Loanzon's notes re M&C	0.2
11/28/2020	REK	Continue to draft and revise Reply [221] ISO Motion [217], finalize, and file	2.5
11/28/2020	REK	Pull depo topic list for CU LLC, review, and send to R Mort	0.5
11/29/2020	REK	Consider and make edits to loan accounting re interest for revolving loan	2.0
11/29/2020	REK	Review and make notes regarding topics for the CU LLC deposition provided by opposing counsel	1.0
11/29/2020	REK	Research re relevance and proportionality concerns in 30(b)(6) depositions	0.6
11/30/2020	REK	Prepare objections to 30(b)(6) depo of CU LLC and send to R Mort	1.6
11/30/2020	REK	Receipt and review (including review of cases cited) of response from R Tauler stating objections untimely and threatening "terminating sanctions" motion if CU LLC does not appear	1.0
11/30/2020	REK	Review and pull together email to/from R Tauler for exhibit to motion	1.0
11/30/2020	REK	Telcon email communications w M Hewitt at GDC re subpoena and procedure for DWQ	1.0
11/30/2020	REK	Telcon w M Roskoski of L&W re Jowers cross questions and DWQ procedure, and emails confirming same	1.0
11/30/2020	REK	Review PO [70] for rules re AEO, draft and send email to R Tauler objecting to and challenging his bulk AEO designations in his letter of 11/13	0.8
11/30/2020	REK	Receive and review production of Cleary in response to subpoena	0.5
11/30/2020	REK	Receive, review and respond to C Gillis email confirming detail of conversation of 11/25	0.5
11/30/2020	REK	Receipt and review of R Tauler response to same	0.3
11/30/2020	REK	Receipt, review and response to email from D Beck, counsel for K&E, re service of subpoena for DWQ	0.3
11/30/2020	REK	Receive, review and note Notice of Depo of P Gutensohn sent by R Tauler	0.2
11/30/2020	REK	Receive and note confirmation re dep of CU LLC from R Tauler	0.1
11/30/2020	REK	Receive and respond to S Anthony, GC of Covington, re subpoena and telcon scheduling	0.1
11/30/2020	REK	Send objections to 30(b)(6) depo notice to R Tauler	0.1
12/1/2020	REK	Prepare questions and exhibits for DWQs to Baker and DLA and send to all counsel	3.0
12/1/2020	REK	Draft, revise, and edit RFPs to Jowers linking the chain of breaching activities we know about chronologically and send to R Tauler as MWK's 6th RFPs	2.0
12/1/2020	REK	research discovery issues raised by opposing counsel	1.0
12/1/2020	REK	Review of Jower's "corrected" responses to discovery requests received 7/30, highlight unanswered portions, consider same	1.0
12/1/2020	REK	Receive/review R Mort response to R Tauler re non-appearance	0.5



12/1/2020	REK	Review Jowers's 11/24 responses to 5th RFPs for whether evanjowers@yahoo.com emails received from L&W were called for, then email to R Tauler forwarding responses and pointing out issue	0.5
12/1/2020	REK	Confer w S Anthony re subpoena by telcon	0.3
12/1/2020	REK	Check calendar, email re deposition scheduling to R Tauler and receive/review response	0.2
12/1/2020	REK	Follow up email to A Mooney at Cooley re DWQ scheduling	0.2
12/1/2020	REK	Email to counsel forwarding notice of L&W DWQ for 1/6/21	0.1
12/1/2020	REK	Receive and review call and email from R Tauler re non-appearance at depo he scheduled unilaterally threatening sanctions	0.1
12/1/2020	REK	Receive and review R Mort email to R Tauler re whether depo limits apply same way to both sides	0.1
12/2/2020	REK	Prepare questions and exhibits to DWQ for Skadden, finalize and serve on all counsel	1.3
12/2/2020	REK	Prepare questions and exhibits to DWQ for A&O, finalize and serve on all counsel	1.2
12/2/2020	REK	Prepare questions and exhibits to DWQ for Mofo, finalize and serve on all counsel	1.0
12/2/2020	REK	Arrange for an effect service on Cooley registered agent in Austin of Notice of DWQ	0.5
12/2/2020	REK	Attention to depo scheduling w Planet Depos	0.5
12/2/2020	REK	Receive and note BILL OF COSTS [224] filed by Jowers, review rules re appellate bills of cost out of time	0.5
12/2/2020	REK	Review evidence re Jowers expenses	0.5
12/2/2020	REK	Email to A Mooney at Cooley w dep subpoena and req for agmt to accept service and receive/review reply	0.4
12/2/2020	REK	Email M Gardiner re a 2012 email about employment agreement visa	0.2
12/2/2020	REK	Receive and review email from R Tauler again seeking M&C re "terminating sanctions") and deposition dates and R Mort responses	0.2
12/2/2020	REK	Email to J Golden re scheduling court call	0.1
12/2/2020	REK	Receive and note ORDER [223] setting telephone conference set for 12/15/2020 09:50 AM before Judge Robert Pitman	0.1
12/3/2020	REK	Receive and review final transcript of R Sommers deposition	1.0
12/3/2020	REK	Email to/from J Bookhout re his untimely bill of costs, review cover letter from court re judgment and Rule 36 of FRAP	0.5
12/3/2020	REK	Telcon w GC of Mofo re DWQ to be scheduled early January	0.5
12/3/2020	REK	Email to/from C Gillis at Weil re service of responses	0.5
12/3/2020	REK	Receive and note follow up from opp counsel re Jowers plans to produce new designations to 3d party docs "next week"	0.3
12/4/2020	REK	Locate A Lamb using Strava app w public profile, prepare subpoena for deposition, contact process server, and obtain service order for service on A Lamb for depo on 12/16	2.0
12/4/2020	REK	Receive and review docs (242 pgs) produced by Gunderson pursuant to subpoena	1.5
12/4/2020	REK	Receive and review Weil's subpoena responses	1.0
12/4/2020	REK	Communicate w S Anthony at Covington following up on subpoena	0.5
12/4/2020	REK	Receive and note email from counsel for K&E re hearing and draft response	0.5
12/5/2020	REK	Receive and review proof of service on A Lamb of depo subpoena for 12/16 and arrange for depo location/service	0.5
12/7/2020	REK	Receive and review Jowers's Motion [226] for sanctions and its 17 exhibits, supplement [227] and Notice [228] of errata; research "terminating" sanctions	3.0
12/7/2020	REK	Draft REK Declaration and compile exhibits, draft prop order, and file Motion [225] for Protective Order	2.5
12/7/2020	REK	Draft and revise emergency motion for protection from Jowers's harassment, send motion to R Mort for review	1.2
12/7/2020	REK	Draft and send notice of deposition of A Lamb to R Tauler	0.5
12/7/2020	REK	Receive and review notice of deposition directed at REK and KR LLC from Jowers	0.4

12/8/2020	REK	Receive and note ORDER [229] on 12(c) Motions for JoP [152] and [177]	1.5
12/8/2020	REK	Receive and review Order [229] re [152] MWK Motion for Judgment on the Pleadings and [177] Jowers Motion for Judgment on the Pleadings	1.5
12/8/2020	REK	Review Jowers counterclaim and answer for admissions useful at trial and note re same to file	1.5
12/8/2020	REK	consider claims that remain and edit outline of issues for trial	1.0
12/8/2020	REK	Locate address for and draft/send letter to Dropbox Legal Team re Motion to Quash subpoenas w request not to comply w Jowers request to turn over MWK records	1.0
12/8/2020	REK	Research re admissibility of statements in pleadings	1.0
12/8/2020	REK	Follow up w Cooley GC A Mooney to propose DWQ date of 1/6	0.5
12/8/2020	REK	Receive from R Tauler and download docs produced by 3d parties w Jowers's confidentiality designations, with brief review	0.5
12/8/2020	REK	Confer w D Levy of White & Case re subpoena responses and receive/review confirming email	0.3
12/8/2020	REK	Receive and note text Orders REFERRING [225] Motion to Expedite PO and [226] Motion for Sanctions entered by Judge Robert Pitman	0.2
12/8/2020	REK	Receive and consider R Tauler email pushing idea of both A Lamb and REK depositions at same time on 12/16	0.1
12/9/2020	REK	Attend deposition of P Gutensohn	2.5
12/9/2020	REK	Follow up w S Anthony of Covington re subpoena and receive/review responsive docs	0.2
12/9/2020	REK	Follow up w opp counsel re hyperlink for P Gutensohn deposition	0.1
12/9/2020	REK	Receive and note agmt to be bound by PO of witness	0.1
12/10/2020	REK	Draft and revise objections to notice of 30(b)(6) deposition to KR LLC and send to R Mort for comment	1.0
12/10/2020	REK	Prepare DWQ to Covington and exhibits	1.0
12/10/2020	REK	Instructions and draft email for R Sommers to send to Dropbox legal team to object to disclosure pursuant to jowers's subpoena	0.3
12/10/2020	REK	Email to A Lamb re deposition scheduling to request info on need for room rental	0.5
12/11/2020	REK	Detailed review of Jowers's re-designation of AEO designated docs prod by 3d parties	1.0
12/11/2020	REK	Receive and review and consider email from R Tauler trying to sew confusion re depo schedule	1.0
12/11/2020	REK	Review PO and draft letter to R Tauler re his overdesignations challenging same	1.0
12/11/2020	REK	Receive and review Jowers's supplemental Rule 26(a) disclosure	0.6
12/11/2020	REK	Finalize objections to 30(b)(6) deposition notice to KR LLC	0.8
12/11/2020	REK	Receive and respond to email from K&E counsel re need for oral testimony under Rule 31	0.5
12/11/2020	REK	Instructions to J Jaworski and note to file re evidence needed for Jowers's bonus and expense claims	0.4
12/11/2020	REK	Email to K&E counsel re identity of deponent for 12/21 deposition	0.2
12/12/2020	REK	Review and pull essential evidence showing discretionary nature of bonuses and credit allocation decisions were for company and other proof issues	3.5
12/13/2020	REK	Finalize and send to R Tauler objections to Notice of 30(b)(6) depo of KR LLC and REK, objections to AEO designations of 3d party docs, notices of of DWQ to Covington and Cleary	1.5
12/13/2020	REK	Instruct M Gardiner and review/compile evidence that Jowers received each of his commission spreadsheets	0.5
12/13/2020	REK	Research re best person to contact at Linklaters and follow up w Linklaters partner T McGrath by email/phone	0.5
12/13/2020	REK	Instructions to J Jaworski re finding evidence re A Singh placement	0.2
12/13/2020	REK	Followup email to A Mooney at Cooley re scheduling DWQ	0.4
12/14/2020	REK	Attn to finalizing arrangements for A Lamb deposition, payment, etc.	1.0
12/14/2020	REK	Receive and review RESPONSE [230] iot motion [225] to expedite protective order, NOTICE [231] of withdrawal, and RESPONSE [232]	1.0
12/15/2020	REK	Prep for deposition of A Lamb w note re needed info	1.5



12/15/2020	REK	Receive and reply to email from R Tauler re depo schedule, objection to KR LLC depo, and further scheduling messages w court reporter	1.0
12/15/2020	REK	Receive and consider further email messages from R Tauler re depo schedule	0.5
12/15/2020	REK	Email to I Correa at Linklaters re subpoena	0.4
12/15/2020	REK	Confer w J Furlow re K&E deposition	0.3
12/15/2020	REK	Status Conference held before Judge Pitman	0.2
12/16/2020	REK	Attend and take deposition of Alexis Lamb, including necessary breaks and hearing before J Austin	8.0
12/16/2020	REK	Receive and respond to email from White & Case re 3d party subpoena	0.5
12/17/2020	REK	Update research re FL noncompete law and note to file re new cases	1.0
12/17/2020	REK	Research re home office locations of senior US Linklaters partners	0.5
12/17/2020	REK	Email A Lurie (Linklaters) again to ask for service waiver for subpoena	0.4
12/17/2020	REK	Scheduling email w K&E counsel re scheduling DWQ for 12/21 and scheduling w ct reporters	0.2
12/17/2020	REK	Email to court reporter re names spelling	0.1
12/18/2020	REK	Receive and review Order [236] of Judge Austin re discovery motions; research re show cause order effect	2.0
12/18/2020	REK	Notify R Sommers of subpoena having been quashed	0.2
12/18/2020	REK	Receive and review P Gutensohn transcript from deposition	0.5
12/18/2020	REK	Telcon w J Warnot at Linklaters re subpoena - agmt to accept service	0.5
12/18/2020	REK	Scheduling email w White & Case re subpoena response	0.5
12/18/2020	REK	Attn to scheduling and details of depositions by written questions	0.4
12/18/2020	REK	Receive and note ct reporter sched emails re W Pruitt (K&E) and S Glover (GDC) depositions	0.3
12/18/2020	REK	Email to/from A Donehower re W&C subpoena response	0.3
12/18/2020	REK	Follow up w J Furlow, K&E counsel re scheduling depositions	0.5
12/20/2020	REK	Review order of Court to provide priv log and comparison to prior correspondence showing we had clarified to R Tauler why the log was blank, draft email to R Tauler re same and forward to R Mort to review	1.0
12/20/2020	REK	Research re requirement to provide "format, sworn response" to RFP 161 and note to R Mort	0.5
12/21/2020	REK	Receive and review Jowers's 3rd Am Answer and Counterclaims	0.5
12/21/2020	REK	Receive and review White & Case response to subpoena and add relevant candidate to Jowers list	0.3
12/21/2020	REK	Receive note from C Gillis (Weil) re further docs	0.3
12/23/2020	REK	Attention to deposition scheduling and payment issues w Planet depos	2.5
12/23/2020	REK	Prep subpoena and questions for DWQ to DLA Piper and email to DLA Partners	1.0
12/23/2020	REK	Prep subpoena and questions w exhibits for A&O and send to J Pultman w request to waive service	0.8
12/23/2020	REK	Prep subpoena and questions w exhibits for Baker McKenzie and send to Ed Zulkey w request to waive service	0.8
12/23/2020	REK	Rep subpoena for DWQ to Skadden and send to L Haberman w request to accept service of same	0.7
12/23/2020	REK	Email to D Hendricks at Mofo requesting additional information relevant to claims	0.4
12/23/2020	REK	Receive and respond to request from Dropbox counsel for copy of court decision	0.3
12/23/2020	REK	Email to Endurance Int'l requesting confirmation of receipt of order	0.2
12/23/2020	REK	Email to M Roskoski at Latham re scheduling 1/6	0.3
12/24/2020	REK	Receive and respond to email from B Eudy (DLA) regarding subpoena to DLA Piper for DWQ	0.3
12/28/2020	REK	Email from and telcon w L Haberman (Skadden) re DWQ service of subpoena and scheduling	0.3
12/28/2020	REK	Attn to response from D Hendricks of Mofo re request	0.4
12/29/2020	REK	Review subpoena responses, of, then prepare depo subpoenas, notices of depo subpoena, and exhibits for Cleary and Covington	1.7
12/29/2020	REK	Prepare subpoena and questions for DWQ to S Anthony at Covington and send	1.0

12/29/2020	REK	Prepare and send out for service subpoena for DWQ to DLA Piper	0.5
12/29/2020	REK	Confer with co-counsel R Mort regarding case strategy	0.3
12/29/2020	REK	Draft cover letters to GC's of each firm	0.3
12/29/2020	REK	Attn to response of M Roskoski (Latham) to scheduling request	0.2
12/29/2020	REK	Send Notice of DWQ for Latham to ct reporter w instructions re 1/6 DWQ for Latham	0.2
12/29/2020	REK	Communicate with GC of Covington S Anthony by email	0.3
12/29/2020	REK	Follow up w J Pultman of Allen & Overy	0.4
12/29/2020	REK	Prepare and send notice of subpoena to D's counsel	0.7
12/30/2020	REK	Prepare direct questions on 8 different candidates	3.5
12/30/2020	REK	Review Gunderson Docs produced and extract relevant documents	2.0
12/30/2020	REK	Double check exhibit references, prepare for sending, and send to counsel the notice of deposition by written questions	1.0
12/30/2020	REK	Prepare Exhibit for DWQ from docs	0.5
12/30/2020	REK	Send Notice of DWQ by certified mail to S Anthony at Covington and Larry Friedman at Cleary	0.5
12/30/2020	REK	Prepare notice of DWQ	0.4
12/30/2020	REK	Prepare table of candidates placed for DWQs	1.0
12/31/2020	REK	Attn to R Tauler request for M&C, including his intention to file renewed req to dq REK due to "intimidation of witnesses"	0.5
12/31/2020	REK	Receive and review Jowers's objections to Order [236]	0.5
12/31/2020	REK	Attn to discovery response request by opp counsel w response re status of counsel	0.2
12/31/2020	REK	Email from L Haberman (Skadden) re scheduling DWQ and waiver of service	0.1
1/1/2021	REK	Draft addendum to protective order and motion to enter	0.8
1/1/2021	REK	Discuss needs of case with co-counsel	0.5
1/1/2021	REK	Draft formal response to RFP 161 per court's order	0.4
1/1/2021	REK	Draft cover letter and send formal response to RFP 161 and verification as well as draft protective order and motion to Tauler	0.3
1/1/2021	REK	Draft response [240] to Jowers's objections [239] to Court's Order [236]	0.3
1/1/2021	REK	Draft verification of response	0.3
1/1/2021	REK	Review rule 34 and rule 26(g) and Court's order	0.3
1/1/2021	REK	File same	0.2
1/3/2021	REK	Work through outstanding discovery requests and draft/revise document withdrawing certain requests	1.5
1/4/2021	REK	Attn to scheduling of L&W deposition for 1/6	0.5
1/4/2021	REK	Prepare supp response to RFP 161 and serve on opp counsel	0.5
1/4/2021	REK	Follow up w R Tauler re PO addendum	0.1
1/5/2021	REK	Review court's order [236] for exact language re local counsel requirement and consider in comparison to notice filed by R Tauler re his bar admission in Texas [244]	1.0
1/5/2021	REK	Email to/from opposing counsel	0.5
1/5/2021	REK	Prepare Agreed motion re protective order	0.5
1/5/2021	REK	Prepare joint opposed motion re protective order	0.5
1/5/2021	REK	Review draft PO received from R Tauler	0.5
1/5/2021	REK	Telephone conference with Cleary GC re DWQ	0.5
1/5/2021	REK	Telephone conference with DLA GC's office re DWQ	0.5
1/5/2021	REK	Telephone conference with MoFo GC	0.5
1/5/2021	REK	Calls with co-counsel	0.4
1/5/2021	REK	Email re scheduling Latham depo w Latham GC and Planet Depos	0.3
1/5/2021	REK	Prepare and file motion [242] and amendment to PO	0.3
1/5/2021	REK	Prepare and file notice [243] of compliance with magistrate's order	0.3
1/5/2021	REK	Prepare proposed protective order redraft	0.3

1/5/2021	REK	Read and consider court's Order [241] overruling objections [236]	0.3
1/5/2021	REK	Review and consider R Tauler email re proposed deadline for redesignations	0.3
1/5/2021	REK	Email to DLA GC	0.2
1/5/2021	REK	Email to/from Cleary GC re whether notice was proper	0.2
1/5/2021	REK	Email to Mofo GC confirming	0.1
1/6/2021	REK	Prepare revised version of Mofo Notice of DWQ and questions with additional questions	2.6
1/6/2021	REK	Research possibility of sanctions and collect cases (Q2)	1.4
1/6/2021	REK	Review 38 page Show Cause Response [246] brief from Jowers, highlighting potentially relevant passages	1.2
1/6/2021	REK	Discuss briefs and possible need for further action w R Mort	1.0
1/6/2021	REK	Prep and send notice of completion of DWQ's of Kirkland, Latham, and GDC to Tauler	1.0
1/6/2021	REK	Review 20-page Show Cause Response [245] brief from Tauler	0.6
1/6/2021	REK	Attn: to R Tauler email w reasons to seek DQ of REK	0.5
1/6/2021	REK	Prepare notice [247] of filing of original signature of Renee Sommers and file	0.5
1/6/2021	REK	Attn to R Tauler request to visit offices of KR	0.4
1/7/2021	REK	Attn to DWQ to Weil, draft q's, scheduling other DWQs, notice to opp counsel, sending to deponent	2.0
1/7/2021	REK	Continue review of evidence and draft and prepare new interrogatories	2.0
1/7/2021	REK	Continue prep of pretrial order	1.5
1/7/2021	REK	Prep outline of SJ motion	1.5
1/7/2021	REK	Update Rule 26 disc	1.0
1/7/2021	REK	Work on update of responses to rogs	1.0
1/7/2021	REK	Collect declarations of Jowers for file	0.8
1/7/2021	REK	Collect orders issued in case for file	0.5
1/7/2021	REK	Receive and review transcript of S Glover (GDC) deposition and email corresp w ct reporter service re exhibit issue	0.5
1/7/2021	REK	consider discovery question deletions based on amended complaint	0.3
1/7/2021	REK	Forward email from J Warnot at Linklaters w/ note to J Jaworski re upcoming production	0.2
1/7/2021	REK	Followup with S Anthony re scheduling Covington DWQ	0.1
1/7/2021	REK	Receive and review Order [248] re Agreed Motion [242] for Protective Order	0.1
1/8/2021	REK	Attn to email from R Tauler re scheduling depositions and inspecting docs	0.5
1/8/2021	REK	Attn to scheduling DWQs for Baker McKenzie and	0.5
1/8/2021	REK	Receive and review Jowers responses to RFPs, Set Six, receive/review correspondence of R Tauler	0.5
1/8/2021	REK	Receive and review production from J Warnot at Linklaters	0.5
1/8/2021	REK	Follow up w A Mooney re DWQ of Cooley and telcon re same	0.4
1/8/2021	REK	Receive and review response from S Anthony re Covington scheduling	0.1
1/8/2021	REK	Review Order re when R Tauler supposed to obtain new counsel and advise R Mort	0.1
1/9/2021	REK	Draft extensive M&C email to R Tauler re problems w Jowers responses to discovery	4.0
1/9/2021	REK	Prepare MWK VOL013 for production and produce to opp counsel	1.0
1/9/2021	REK	Receive/review deposition transcripts (GDC and K&E)	1.0
1/9/2021	REK	Email to L Haberman re scheduling DWQ (Skadden)	0.5
1/9/2021	REK	Follow up email to J Pultman at A&O re DWQ	0.5
1/9/2021	REK	Review RFA's sent so far and consider whether to send more	0.5
1/9/2021	REK	Send notice of DWQ to J Warnot (Linklaters)	0.4
1/9/2021	REK	Follow up w Gunderson counsel re scheduling DWQ	0.3
1/9/2021	REK	Receive/review email from R Tauler re deposition scheduling w accusations re Texas Lawyer Creed violation	0.3

1/10/2021	REK	Extensive rework of prior discovery requests to delete irrelevant requests, cross reference to letter of July 30, 2020, withdrawal of requests, and withdraw other req based on 8/2020 phone call, and send to R Mort for review	4.0
1/10/2021	REK	Prep 3rd revised initial disclosures w complete list of candidates known to have been placed by Jowers and send to J Jaworski to check data and R Mort for review	2.0
1/10/2021	REK	Check dates and send email to R Tauler re deposition date options and doc inspection options, as well as interrogatory questions left unanswered	0.7
1/10/2021	REK	Draft letter to courtroom deputy K Cheng re problems in case and send to R Mort for review	0.7
1/11/2021	REK	Research re R Tauler desire to add to inspection and take custody of original document - collected cases	1.0
1/11/2021	REK	Attn to corr. re document inspection from R Tauler	0.5
1/11/2021	REK	Receive and review Order [249] re Brief [245], filed by Evan P. Jowers	0.5
1/11/2021	REK	Receive and quick review transcript of A Lamb deposition	0.5
1/11/2021	REK	Attn to drafting email to J Austin courtroom deputy K Cheng	0.4
1/11/2021	REK	consider comments to 3rd Revised Initial Disclosures, scheduling email, and discovery edits	0.4
1/12/2021	REK	Additional extensive work on Sixth RFPs to attempt to resolve discovery dispute by renumbering RFP to avoid collision w other RFP, eliminating completely RFP 10-18, narrowing time frame and scope, and creating a redline to show the differences to the 12-1-20 original, email to R Tauler and forward	2.0
1/12/2021	REK	Draft and send to R Tauler RFP 801-817 re docs and things to be relied on at trial, referencing each cause of action	1.5
1/12/2021	REK	Draft and revise Answer [250] to Jowers's Amended Counterclaims [237]	1.0
1/12/2021	REK	Draft and send to R Tauler rogs 3-1 to 3-5 referencing expenses and commissions etc Jowers claims were not paid	1.0
1/12/2021	REK	Further review of A Lamb deposition transcript	1.0
1/12/2021	REK	Redact rogs previously sent 6-10-20 based on M&C, consider format, and send new set to R Tauler	1.0
1/12/2021	REK	Finalize and send 3rd rev initial disclosures to R Tauler	0.5
1/12/2021	REK	Attn to DWQ scheduling (Cleary)	0.3
1/12/2021	REK	Receive and note deficiency notice from R Mort to R Tauler re AEO reclassification per court order and multiple replies from R Tauler	0.2
1/12/2021	REK	Receive and review to do list by R Mort	0.2
1/12/2021	REK	Telcon w S Anthony re Covington DWQ	0.2
1/12/2021	REK	Attn to R Mort email re privilege log	0.1
1/12/2021	REK	Attn to R Tauler follow up re attachments	0.1
1/13/2021	REK	Continue to draft and revise Motion [251] for SJ, consider same, prep proposed order, and file	6.5
1/13/2021	REK	Review rule 16 and scheduling order and attn to pretrial disclosure issues	1.0
1/13/2021	REK	Scheduling and payment emails with and form A Mooney of Cooley DWQ	0.5
1/13/2021	REK	Attn to R Tauler email re download issues	0.1
1/14/2021	REK	Attn to scheduling of and payment and forwarding of notices and questions for Gunderson DWQ and Weil DWQ and Cleary DWQ and Mofo DWQ	3.0
1/14/2021	REK	In view of R Tauler allegation that REK represented Jowers and was conflicted, search for and locate 2007 email showing assignment of claims of Jowers against M Warren to KR by Jowers as well as attn to other issues brought up by R Tauler	2.0
1/14/2021	REK	Attn to R Mort to-do re trial exhibits, chart of ownership of contracts and Jowers is founder/owner of Legis	1.0
1/14/2021	REK	Attn to R Tauler email about seeking to DQ REK and receive/review R Mort email	0.5
1/14/2021	REK	Followup w L Haberman re scheduling DWQ and name of deponent and send notice and questions to ct reporter	0.5
1/14/2021	REK	Followup w S Anthony re scheduling DWQ of Covington and set for 1/21	0.5
1/15/2021	REK	Further attention to scheduling of and payment for Linklaters, Cleary, Gunderson, Mofo DWQs	2.0

1/15/2021	REK	Receive and review Motion [254] to DQ REK	1.0
1/15/2021	REK	Receive and review Order [252] of J Austin	0.5
1/15/2021	REK	Telcon w D Hendricks of Mofo re additional evidence and review evidence forwarded by him	0.5
1/15/2021	REK	Attn to further M&C of R Mort w R Tauler re DQ of REK	0.1
1/16/2021	REK	Scheduling emails re REK depositions and inspection of doc	0.7
1/17/2021	REK	Draft response and declaration of REK to Motion [254] to DQ REK and send to R Mort	7.0
1/18/2021	REK	Edit and revise response to Motion [254] to DQ REK and file same	1.0
1/18/2021	REK	Attn to transcript of Cleary DWQ and Latham DWQ	0.7
1/18/2021	REK	Receive and review Jowers's notices of deposition of REK and KR	0.5
1/19/2021	REK	Draft and send to R Tauler RFPs 1001-1010	1.0
1/19/2021	REK	Draft and send Notices of Completion of DWQ of Baker & McKenzie and Cleary Gottlieb	0.5
1/19/2021	REK	Further email re scheduling w L Haberman	0.2
1/19/2021	REK	Confirm w Ct Reporter S Anthony is scheduled	0.1
1/19/2021	REK	Email confirmation w S Anthony of Covington	0.1
1/19/2021	REK	Receive and note confirmations re depos of A Mooney (Cooley) and L Haberman (Skadden) on 1/21	0.1
1/20/2021	REK	Email to R Tauler re deficient responses to RFPs w reference to S Kang emails not produced	0.5
1/20/2021	REK	Email to R Tauler re interrogatory answers we demand Jowers provide w references to specific prior requests and amendments to rogs	0.5
1/20/2021	REK	Further scheduling email re scheduling S Anthony	0.5
1/20/2021	REK	Preparing and uploading exhibits for depos 1/21	0.5
1/20/2021	REK	Also re A Mooney (Cooley), and L Haberman (Skadden)	0.2
1/20/2021	REK	Email to R Tauler re continuing failure to review and reclassify docs as ordered to do	0.1
1/21/2021	REK	Draft and revise supplemental responses to Jowers rogs and serve on opp counsel R Tauler	2.5
1/21/2021	REK	Review of discovery production w issues in doc mgmt software and email to doc mgmt company re issues, then receive/review/process response	1.5
1/21/2021	REK	Prepare detailed chart for R Tauler summarizing outstanding interrogatories by specific request, attaching sets of rogs w outstanding q's to email	1.0
1/21/2021	REK	Receive/review Reply [258] iso Motion [254] to DQ REK	0.5
1/21/2021	REK	Telcon w A&O counsel re DWQ scheduling and follow up confirming email	0.5
1/21/2021	REK	Email w instructions re DWQ for Weil and notice and subpoena to ct reporter	0.4
1/21/2021	REK	Research re effect of striking brief from record	0.4
1/21/2021	REK	Email convo w S Anthony of Covington re changes he made to demonstrative exhibit on record and obtain signed copy of demonstrative w change sent to ct reporter	0.2
1/21/2021	REK	Receive/review response emails from R Tauler deflecting discovery issues, trying to get on telcon w us, and accusing REK and R Mort of various bad acts	0.2
1/21/2021	REK	Scheduling emails in/out re DWQ for DLA Piper	0.2
1/21/2021	REK	Scheduling emails in/out re DWQs for Mofo w email to/from D Hendricks and ct reporter	0.2
1/21/2021	REK	Attn to depo scheduling for REK	0.1
1/21/2021	REK	Email response to R Tauler re Jowers must respond to our rogs and further email w R Tauler re discovery deficiencies	0.1
1/21/2021	REK	Email w R Mort re depo scheduling for REK	0.1
1/21/2021	REK	Note referral of Motion [254] to J Austin	0.1
1/21/2021	REK	Receive and review ORDER [257] re Brief [246], filed by Jowers directing that it be stricken from the record	0.1
1/21/2021	REK	Receive and review text order referring motion to DQ REK to Judge Austin	0.1
1/21/2021	REK	Scheduling re DWQ of Gunderson	0.1



1/22/2021	REK	Draft and send to R Tauler Notices of Completion of DWQs of each of Cooley, Skadden, Gunderson, Covington	1.0
1/22/2021	REK	Email correspondence and telcon w N White, counsel for Weil re DWQ questions and scheduling and follow up email	0.7
1/22/2021	REK	Receive/review transcript of E Zulkey (Baker & McKenzie) DWQ	0.4
1/22/2021	REK	Email in/out w ct reporters	0.1
1/22/2021	REK	Email to/from L Haberman (Skadden) re transcript read/sign	0.1
1/22/2021	REK	Scheduling emails in/out re DLA DWQ	0.1
1/24/2021	REK	Review other important documents in case in prep for 30(b)(6) deposition	3.5
1/24/2021	REK	consider deposition	2.0
1/24/2021	REK	Review loan agreements, make note to file re reps and warranties (Sec 7)	1.0
1/24/2021	REK	Email to/from D Hendricks at MOFO re DWQ and procedure and demonstrative chart	0.3
1/24/2021	REK	Attend to ct rep req for questions for MOFO for DWQ	0.2
1/25/2021	REK	Attend deposition as witness	8.0
1/25/2021	REK	Research and consider issues that were brought up by R Tauler at deposition (e. g., TX Franchise tax forms)	2.0
1/25/2021	REK	Continue review of important docs for 30(b)(6) deposition	1.0
1/25/2021	REK	Email in/out re scheduling Weil DWQ scheduling and change of time	0.2
1/25/2021	REK	Emails in/out re DLA DWQ scheduling	0.2
1/25/2021	REK	Further email in/out re scheduling Weil and DLA depositions	0.2
1/26/2021	REK	Count days since court ordered Jowers to redesignate docs previously overdesignated and send email to R Tauler demanding redesignation of docs, then receive/note R Tauler non-response, look up specific ct order wording, send to R Tauler and ask for confirm now that he is not designating anything outside-counsel only	1.5
1/26/2021	REK	Receive R Tauler email asserting no priv asserted, then review Jowers responses and highlight for R Tauler all responses asserting priv and send to R Tauler w cover note	1.5
1/26/2021	REK	Review contract and setoffs and revise accounting for Jowers loans based on R Tauler assertion that credit was applied at wrong time for Hui Xu placement	1.5
1/26/2021	REK	10+ email messages in/out re scheduling DWQs with witnesses and counsel for DLA/Weil and ct reporter	0.5
1/26/2021	REK	Attn to exhibits for DWQs	0.5
1/26/2021	REK	Draft cover and send new accounting to R Tauler, then note R Tauler resp demanding verification	0.5
1/26/2021	REK	Note no privilege log yet received from R Tauler and draft/send 2nd email to R Tauler requesting same	0.5
1/26/2021	REK	Sched email in/out re Linklaters DWQ	0.5
1/26/2021	REK	Follow up call and email in/out w J Pultman at A&O re scheduling DWQ	0.4
1/26/2021	REK	Attn to payment of invoices for Zulkey (Baker McKenzie) and Roskoski (Latham) DWQs	0.3
1/26/2021	REK	Draft and send email to R Tauler following up on 1/21 demand for rog responses	0.3
1/27/2021	REK	Receive and review Response [259] to MSJ and Motion [260] to file docs under seal	2.0
1/27/2021	REK	Attn to scheduling of Linklaters DWQ and upload of exhibits	0.5
1/28/2021	REK	Continue to review Response [259] to MSJ and exhibits	2.0
1/28/2021	REK	Research re usury law for MSJ reply	2.0
1/28/2021	REK	Note inclusion of confidential excerpts from R Sommers Deposition, pull designation of confidentiality from R Sommers Deposition record and send to R Tauler w demand that he pull confidential information from ECF immediately, then receive/review response of R Tauler asserting excuses, review protective order, research re options	1.5
1/28/2021	REK	Receive and review transcript of R Sommers deposition	1.5
1/28/2021	REK	Review Anderson v Liberty Lobby and Royal Surplus Lines and Celotex re SJ standard	1.5

1/28/2021	REK	Draft and send to R Tauler Notices of Completion of DWQs of each of Weil, DLA, MOFO, and Linklaters	1.0
1/28/2021	REK	Attn to scheduling of A&O DWQ and exhibit upload and dep payment	0.5
1/28/2021	REK	Receive, note, draft reply to R Tauler email asking for "stipulation" re confidential info	0.5
1/28/2021	REK	Receive/review transcript of Cleary DWQ	0.5
1/28/2021	REK	Receive/review/ponder email from R Tauler re discovery response intentions of Jowers and letter from R Tauler blanket reclassifying all AEO documents as confidential	0.5
1/28/2021	REK	Follow up w DLA Piper counsel re DWQ	0.4
1/29/2021	REK	Research issues in Jowers Response to MSJ and outline/draft reply - pull and review cases cited re accrual and length of SoL, relation back, Erie-doctrine applicability of FL SoL, evidence related to new contract formation	5.0
1/29/2021	REK	Receive and review supp rog responses from D	1.5
1/29/2021	REK	Receive and review responses to RFPs from D	0.5
1/30/2021	REK	Continue work on reply to Jowers response to MSJ - research covering admissibility of evidence created by atty, usury, FL law on bonus contract, promissory estoppel elements and Jowers's proof, and unjust enrichment	5.0
1/31/2021	REK	Draft and revise Reply to Jowers's Response to MSJ	5.0
2/1/2021	REK	Further research, drafting of Reply to Jowers's Response to MSJ	4.0
2/2/2021	REK	Continue to draft and revise reply to Jowers's Response to MSJ	4.0
2/2/2021	REK	Research re: reporter privilege applicability	1.5
2/2/2021	REK	Receive/review notice of subpoena to breaking media from Jowers re article about case on <a href="http://www.abovethelaw.com">www.abovethelaw.com</a>	0.5
2/2/2021	REK	Review long email from R Tauler to R Mort with excuses to justify subpoena to Breaking Media	0.5
2/3/2021	REK	Attn to MSJ draft reply, edit and expand reply, then file Reply [261] iso MSJ [251]	7.0
2/3/2021	REK	Attention to additional email to/from R Tauler re his subpoena to Breaking Media	0.5
2/3/2021	REK	Attn to scheduling DWQ for A&O and exhibit upload	0.4
2/3/2021	REK	Attn to errata sheet of GDC deponent in DWQ	0.3
2/3/2021	REK	Email to R Tauler re depo scheduling	0.1
2/4/2021	REK	consider FF&CL format and process and review examples	2.0
2/4/2021	REK	Receive and review L Haberman (Skadden) DWQ transcript, S Anthony DWQ transcript and A Mooney transcript and forward to Skadden transcript to witness per request	0.8
2/4/2021	REK	Scheduling email to/from A&O witness and ct reporter	0.2
2/4/2021	REK	Email from W O'Byrne re J Rhee DWQ	0.1
2/4/2021	REK	Follow up email to R Tauler re supp responses timeline	0.1
2/4/2021	REK	Follow up re de-designation from AEO by marking as ordered	0.1
2/5/2021	REK	Attn to DWQ transcript issues re Cleary and Covington DWQ corrections	0.5
2/5/2021	REK	Attn to scheduling emails w R Tauler re deposition scheduling and receive/review notice of depo	0.5
2/5/2021	REK	Draft and send to R Tauler Notice of Completion of DWQ of A&O	0.5
2/5/2021	REK	Review law regarding ATL subpoena and options	0.5
2/5/2021	REK	Attn to doc mgmt software and review of docs produced	0.3
2/5/2021	REK	Receive/review DWQ transcript for MOFO	0.3
2/5/2021	REK	Receive and review text Order granting Motion [260] for Leave to File Sealed Document	0.1
2/8/2021	REK	Attn to K&E DWQ transcript	0.3
2/9/2021	REK	Attn to DWQ billing	0.3
2/9/2021	REK	Receive/review DLA DWQ transcript	0.3
2/9/2021	REK	Receive/review Weil DWQ transcript	0.3
2/10/2021	REK	Receive/note R Tauler email re has a doc production coming tomorrow; review cases re last minute productions	1.0



2/11/2021	REK	Receive/download Jowers 20,000 pg doc production, then process w doc mgmt software and begin review	3.0
2/11/2021	REK	Receive/review Jowers rog responses to 3rd rogs and email opp counsel	0.5
2/11/2021	REK	Receive/review Gunderson DWQ transcript	0.3
2/12/2021	REK	Review doc production from Jowers and confirm no email to/from evanjowers@yahoo.com was produced and note to file	1.0
2/12/2021	REK	Email to DWW to ask them to conduct search for jowers email before 12/16/16 and for evanjowers@yahoo.com email	0.5
2/12/2021	REK	Review Jowers rog supplements and highlight important parts - sent to R Mort to review	0.5
2/12/2021	REK	Receive/note REK depo scheduling info	0.1
2/13/2021	REK	Resarch and consider filing motion to compel re email	1.0
2/13/2021	REK	Note to file re candidate email from Meng Ding asking that his info be kept in strict confidence; comparison of time stamps to confirm sent before departure from KR; mark and store email	0.5
2/13/2021	REK	Note to file re Jowers's use of his yahoo.com account well into 2017, but no email produced from it in any production	0.5
2/13/2021	REK	Receive/review date histogram for production from Jowers and note no email produced from prior to departure or from his yahoo.com address	0.5
2/13/2021	REK	Research re deadline for discovery motions, local rule CV-16	0.5
2/14/2021	REK	Receive/review Jowers supp rog responses to set 1, send to J Jaworski w instructions to compare placement list to our list	0.3
2/15/2021	REK	Attn to email to/from R Tauler and R Mort re rescheduling depo for 2/18 due to weather	0.3
2/15/2021	REK	Note/attn to labeling of dep as continuation of 30(b)(6) rather than personal dep	0.3
2/16/2021	REK	Attn to R Tauler email re confidentiality designations	1.0
2/16/2021	REK	Attn to invoice error and Cleary having been billed for DWQ	0.4
2/16/2021	REK	Receive/review A Chute (Links) DWQ transcript	0.1
2/18/2021	REK	Draft and serve responses to RFP 162 on Tauler and attn to his torrent of vituperative email back	0.5
2/18/2021	REK	Receive/review R Tauler and R Mort email re rescheduling due to weather, and R Tauler emails declaring that he was taking a non-appearance	0.5
2/18/2021	REK	Attn to R Tauler incorrect Motion [262] to continue discovery	0.2
2/18/2021	REK	Receive/review transcript of A&O DWQ	0.2
2/19/2021	REK	Final review, prepare and produce additional documents to opp counsel including DWQ transcripts/exhibits	2.5
2/19/2021	REK	Attn to GDC DWQ transcript issue and obtaining corrected versions of other transcripts	1.3
2/19/2021	REK	Attn to more email from R Tauler	0.3
2/19/2021	REK	Receive and review text Order granting Motion to Continue and calendar same	0.3
2/19/2021	REK	Email to/from L Haberman re Skadden depo errata	0.2
2/20/2021	REK	Attn to DWQ transcript issues	0.2
2/21/2021	REK	Receive errate sheet from L Haberman deposition and review	0.2
2/22/2021	REK	Attn to scheduling email w R Tauler	0.5
2/22/2021	REK	Attn to Skadden DWQ errata sheet	0.3
2/24/2021	REK	Attn to additional scheduling emails from R Tauler	0.3
2/25/2021	REK	Attn to issues raised by improper subpoena, late notice to MWK re service of subpoena, and flood of email/voice messges from R Tauler	3.5
2/25/2021	REK	Receive/review notice of Jowers subpoena to WDTX Admissions Committee	0.5
2/25/2021	REK	Attend deposition of REK (no charge - 8.0 hours)	0.0
2/26/2021	REK	Read deposition transcript of REK as MWK 30(b)(6) witness depo and produce errata sheet and return as well as create and produce to R Tauler our confidentiality designations	2.6
2/26/2021	REK	Receive, review and consider Jowers Motion [263] to compel WDTX Admissions Committee	1.0
2/26/2021	REK	Review J Jaworski edits to Confidentiality Designation doc	0.2

2/27/2021	REK	Review/edit R Mort draft response to Jowers Motion to Compel WDTX Admissions Committee	1.0
3/1/2021	REK	Receive, review, forward errata sheet for S Anthony (Covington) DWQ	0.1
3/2/2021	REK	Continue to research, edit and revise response to Jowers MTC [263] admission committee	2.5
3/3/2021	REK	Draft, revise, and finalize and file Response [264] to Jowers MTC [263] admission committee	3.6
3/3/2021	REK	Email J Jaworski instructions to send docs to G Zausmer at Enoch Kever re serving Response	0.2
3/4/2021	REK	Attn to DWQs of Linklaters and A&O, including billing	0.2
3/6/2021	REK	Attn to DWQs of Weil and DLA, including billing	0.2
3/8/2021	REK	Receive and review ORDER [265] DENYING [263] Jowers Motion to Compel	0.5
3/9/2021	REK	Attn to torrent of R Tauler email messages re ATL, including Dukes of Hazard clips and other insults and random craziness accusing us of corruption	0.5
3/9/2021	REK	consider subpoena by Jowers to Breaking Media in NYC seeking depositions and documents; research options for helping protect breaking media from harassing discovery	2.5
3/9/2021	REK	Receive and review press coverage of Order [265] and research re past outcomes for attorneys who insult courts/judges or assert corruption of court	1.5
3/10/2021	REK	Receive and review deposition transcript of REK deposition and mark confidential sections	2.2
3/10/2021	REK	Attn. to errata sheet for Linklaters DWQ	0.1
3/11/2021	REK	Email to R Tauler re intention to file MPO re 3d party subpoenas and req to confirm no other subpoenas issued, and research issues related to same	0.5
3/11/2021	REK	Research re reporter's privilege	1.5
3/11/2021	REK	Draft and send email to Judge Austin explaining BM subpoena situation and requesting conference w Court	0.5
3/11/2021	REK	Receive and review motion to quash filed in SDNY by Breaking Media and Jowers's response to motion to quash subpoena in SDNY	1.0
3/11/2021	REK	Receive/review/consider email from Court that we must first confer w R Tauler before seeking assistance and confer w R Tauler re scheduling call	0.5
3/11/2021	REK	Attn: to DWQ coordination and completion	0.5
3/12/2021	REK	Conf call with R Mort and R Tauler re subpoena to Breaking Media per Court order	0.5
3/12/2021	REK	Email to Court to confirm we have conferred still need hearing	0.3
3/16/2021	REK	Email J Jaworski instructions re collecting Jowers ownership and Legis control evidence	0.2
3/16/2021	REK	Attn to R Sommers depo transcript designations	0.1
3/16/2021	REK	Receive/consider email from K Cheng in J Austin's chambers re no hearing re Breaking Media subpoena needed	0.5
3/17/2021	REK	Review and create boxes around depo designations for A Lamb deposition, noting portions of deposition useful for specific proof points	2.0
3/17/2021	REK	Review sample witness lists and exh lists from R Mort and create shells for our case per local rule	1.5
3/17/2021	REK	Add collected Jowers declarations to evidence for trial exhibits	1.5
3/17/2021	REK	Update Jowers declarations folder w latest declarations	0.5
3/17/2021	REK	Email J Jaworski instructions for later declarations	0.1
3/18/2021	REK	Organize exhibits by category based on issues for trial, label w temp exh labels, organize on exhibit list spreadsheet w bates label reference, and store in trial prep folder	3.5
3/19/2021	REK	Continue reviewing depositions and setting designations	3.0
3/19/2021	REK	Review relevant email messages to/from Jowers to select for exhibit list	1.5
3/19/2021	REK	Research and email J Jaworski depo designation examples for help in doc re same	0.5
3/20/2021	REK	Pull depo confidentiality designations produced to R Tauler 2/26 and highlight sections that are contained in his public filing, then draft email to R Tauler demanding he remove confidential info from public view, specifying specifics of what was improperly filed publicly, with reference to specific section of PO	2.5

3/20/2021	REK	Consider designation status of material in MSJ and exhibits, note public filing of confidential info, research re similar cases	2.0
3/20/2021	REK	Receive/review Jowers MSJ [266] and exhibits	2.0
3/20/2021	REK	Review PO in case re depo designation status/procedure to confirm current status as confidential and record parts of Jowers MSJ filing that reveal confidential information	1.0
3/20/2021	REK	Contact R Tauler re PO violations and receive/review/consider response saying he could not confer until next Wednesday	0.5
3/21/2021	REK	Continue work on categorizing potential trial exhibits based on issues, labeling w temp labels, organizing on exhibit list spreadsheet w bates label reference, and storing in trial prep folder	3.5
3/22/2021	REK	Continue work on identifying and organizing exhibits for trial	3.0
3/22/2021	REK	Consider and research options and draft/send email to K Cheng requesting hearing w Judge Austin	0.5
3/22/2021	REK	Receive/consider R Tauler email accusing R Mort and R Kinney of criminal acts and research/consider whether any criminal act is cognizable from his accusations	2.5
3/22/2021	REK	Receive/note request for conf w Court and attn to scheduling email	1.0
3/22/2021	REK	Receive/review Jowers Objection [267] to Order [265] of Magistrate and draft/send email to R Tauler re publicly filed confidential material in his Objection [267]	0.6
3/22/2021	REK	Instructions to J Jaworski for completing further depo designations and adding them to evidence list	0.2
3/22/2021	REK	Receive/review email from R Tauler re unwilling to even consider removing MSJ from ECF before Wednesday	0.2
3/23/2021	REK	Research re proving up certifying webpage evidence from Jowers website for trial and research/confer w 3d party services	0.9
3/23/2021	REK	Receive and note scheduling of Zoom conf w J Austin and follow up messages from R Tauler re recording and transcript purchase	0.4
3/24/2021	REK	Review exhibits that should have been confidential and per J Austin's order, send R Tauler an email listing the confidential exhibits	2.0
3/24/2021	REK	Hearing before Judge Andrew W. Austin re discovery issues and Tauler behavior and note to file re hearing	1.0
3/24/2021	REK	Receive/review Order [270] re sealing documents from J Austin	0.2
3/25/2021	REK	Receive and review revised, redacted draft of Jowers's MSJ	1.0
3/26/2021	REK	Receive and review Jowers's Motion for SJ [271] and Motion [272] to File MSJ Under Seal and related exhibits	1.5
3/26/2021	REK	Note R Tauler error re Exh 271-10, draft and send email to R Tauler re same and receive/note response re he will remove from ECF	0.5
3/29/2021	REK	Read/study Jowers MSJ [271] and note key issues	2.0
3/29/2021	REK	Research re liquidated damages clause - waiver question, timeline of when Jowers's counsel was told about the claim, relevant cases	3.0
3/29/2021	REK	Locating/gathering docs for REK Decl iso response	2.0
3/30/2021	REK	Research issues relevant to response to MSJ (applicability of TX SoL, contract validity under FL law, prom note and loan agmt validity under TX law, illusory contracts); pull/read cases cited by Jowers	4.7
3/30/2021	REK	instructions to J Jaworski re doc needed in original w no highlighting	0.1
4/5/2021	REK	continue work on draft response to MSJ	1.0
4/5/2021	REK	research misc issues such as unilateral modifications under FL law, then edit, revise and finalize draft response	4.0
4/5/2021	REK	draft R Sommers declaration and send to her for review, then revise draft, send for final signature	1.5
4/5/2021	REK	edit and revise REK Decl.	4.6
4/5/2021	REK	assemble exhibits and send to R Mort for stamping	2.5
4/5/2021	REK	further review, finalize, add TOC, and file Response [273] to Jowers MSJ [271]	2.0
4/6/2021	REK	receive call from clerk's office re procedure for sealed documents and research proper procedure for sealing, forward unsealed versions of sealed exhibits to R Tauler, draft, revise and file motion to keep docs attached to Response [273] sealed and proposed order, send filed docs to opp counsel	2.6

4/7/2021	REK	Review opinion and Order [Breaking Media, Inc. v. Evan P. Jowers] denying discovery subpoena enforcement to Jowers and prepare draft proposed joint advisory to Court re resolution of subpoena issue at SDNY per J Austin's request and send to R Tauler for review	1.5
4/9/2021	REK	Research re liquidated damages and pleading requirements; review and gather disclosures of claim for liquidated dgs	2.5
4/9/2021	REK	Receive and review Jowers Reply [275] to Response [273] to Jowers MSJ [271]	2.3
4/9/2021	REK	Draft proposed joint advisory to Court re resolution of subpoena issue at SDNY per J Austin's request and send to R Tauler for review	1.0
4/9/2021	REK	Attention to billing issues re DWQs	0.5
4/11/2021	REK	Work on Motion to Strike re failure to plead penalty re liq damages	3.5
4/12/2021	REK	Further research re other cases where D's fail to plead penalty in liq damages cases, then draft and revise Motion to Strike Jowers's Reply re liquidated damages clause	5.5
4/13/2021	REK	Further revise draft of motion to strike	3.0
4/13/2021	REK	Follow up w R Tauler re any comments on the joint advisory and receive and consider his response	0.5
4/14/2021	REK	Revise, finalize, and file Motion [277] to Strike Jowers Reply [275]	2.0
4/14/2021	REK	Finalize and file advisory to the Court [276] re SDNY quashing subpoena	0.5
4/20/2021	REK	Receive and consider Jowers's Objection [278] to Motion to Strike [275]	1.5
4/22/2021	REK	Work on exhibit list, deposition designations, trial plan	2.5
4/26/2021	REK	Research and draft reply to Jowers's response to objection [277] to MSJ	4.5
4/27/2021	REK	Finalize and file Reply [279] responding to Response [278] and iso Objection [277] to Jowers's MSJ reply	2.5
4/28/2021	REK	Work on draft FF&CL	4.5
4/29/2021	REK	Work on Findings of Fact and Conclusions of Law	3.5
4/29/2021	REK	Attn to court schedule and trial setting	1.0
4/29/2021	REK	Correspondence w R Tauler re confidentiality of documents	0.5
4/29/2021	REK	Review 4/28 filing in SDNY accusing REK of becoming "unhinged" and of threatening R Tauler "safety and livelihood"	0.5
4/30/2021	REK	Continue working on FF&CL	2.0
4/30/2021	REK	Give instructions to J Jaworski to create doc re placement evidence	0.3
5/1/2021	REK	Additions to FF&CL	2.5
5/1/2021	REK	Review J Jaworski's work re placement evidence and edit/revise	1.0
5/2/2021	REK	Continue work on FF&CL	2.5
5/2/2021	REK	Create Jowers Discovery Response Index, share w J Jaworski for editing	0.5
5/2/2021	REK	Email R Sommers & J Jaworski instructions re expense report summary chart	0.5
5/2/2021	REK	Review updates re placement evidence from J Jaworski	0.5
5/4/2021	REK	Continue work on FF&CL	2.0
5/4/2021	REK	Attn to emails from R Tauler re NY case	1.5
5/13/2021	REK	Continue work on FF&CL, incl instructions to mail J Jaworski re fraud affirmative defenses discovery	1.6
5/17/2021	REK	Work on FF&CL related to Jowers's claims	4.0
5/18/2021	REK	Continue work on FF&CL related to Jowers's claims	3.0
5/19/2021	REK	Email J Jaworski instructions to update FF&CL re firms/fees/candidates	0.3
5/20/2021	REK	Review J Jaworski edits to FF&CL and further work on FF&CL re claim proof	7.0
5/21/2021	REK	Further work on FF&CL and pretrial notice to Court	6.5
5/22/2021	REK	Further work on FF&CL and pretrial notice to Court	5.5
5/23/2021	REK	Further work on FF&CL and pretrial notice to Court	2.5
5/24/2021	REK	Receive and note ORDER [280] RESETTING Bench Trial for 10/4/2021	0.1
5/25/2021	REK	Receive and review brief filed in NY in support of fees motion by breaking media	0.1
5/27/2021	REK	Receive and review ORDER [281] denying Jowers's [254] Renewed Motion to DQ REK	0.5
6/2/2021	REK	Instruct J Jaworski re inclusion of various evid in records	0.5

7/9/2021	REK	Attn to ordering transcript of 3/24/2021 hearing	0.5
7/15/2021	REK	Reviewing discovery and preparing trial plan and FF&CL	3.5
7/15/2021	REK	Receive and review transcript of hearing and attn to billing for same	0.5
7/16/2021	REK	Confer w J Jaworski re candidate/payment evidence for trial plan	0.4
8/18/2021	REK	Consider need to continue case due to conflict and receive/review continuance Motion [283]	0.1
8/23/2021	REK	Receive/review Jowers's Response [284] re Motion [283] to continue	0.3
8/24/2021	REK	Receive and review ORDERS on MSJs [251] and [266]	1.5
8/24/2021	REK	Consider trial plan deletions and whether Order can be unsealed and note to file	1.5
8/24/2021	REK	Receive/note R Tauler NOTICE [286] of unavailability for trial	0.1
8/30/2021	REK	Email to R Tauler re unsealing MSJ Orders, citing pages and attaching his May 4 email and draft/File NOTICE [287] to Court re SJ can be unsealed	1.5
8/31/2021	REK	Receive and review Jowers's Motion [289] to transfer case to FL and read cases cited	3.0
8/31/2021	REK	Receive and note Order [288] changing trial date to 11/15	0.2
9/1/2021	REK	Receive and note correspondence w Opp Counsel re trial setting and Unopposed Motion [291] to continue trial setting	0.5
9/3/2021	REK	Review and comment on draft response to motion to transfer venue from R Mort	1.0
9/3/2021	REK	Receive and note filing of Response [292] to Jowers Motion to Transfer [289]	0.1
9/7/2021	REK	Receive and note Order [293] resetting trial to 12/6	0.1
9/14/2021	REK	Receive, review and note arguments in Jowers's Renewed Motion [294] to DQ REK; research re whether there are updated cases on issue	1.4
9/14/2021	REK	Draft and file Response [295] to Jowers's Motion [294] and proposed order	0.7
9/21/2021	REK	Receive and review Jowers's Motion [296] to reconsider Ruling on SJ and begin outlining response	2.5
9/21/2021	REK	Receive and review Jowers's Motion [297] for Cert of Appealability, research issue, and outline response	2.5
9/22/2021	REK	Draft and revise response to Jowers's Motion [296] to reconsider SJ rulings and Motion [297] for certificate of appealability	6.5
9/23/2021	REK	Continue to draft and revise responses to Jowers's motions, then finalize and file MWK Response [298] to Motion [296] and Response [299] to Motion [297]	8.5
10/5/2021	REK	Receive and note Order [300] setting final pretrial conference 11/5	0.1
10/15/2021	REK	Receive and note Order [301] resetting final pretrial conference for 11/3	0.1
10/18/2021	REK	Receive and note text order mooting [291]	0.1
10/20/2021	REK	Receive and note filing of Jowers's Notice [303] of filing of pretrial disclosures and begin review of same	1.0
10/20/2021	REK	Compile and file Notice [302] to Court of Submission of Pretrial Disclosures	0.8
10/21/2021	REK	Begin work on objections to Jowers's Notice	2.0
10/21/2021	REK	Receive and note Deficiency Notice to Jowers [305] and receive and note filing of Jowers's refiled Notice [306] of filing of pretrial disclosures and review exhibit list and witness list and Jowers's FF&CL and compare to prior version	0.6
10/22/2021	REK	Continue draft of objections and motion to exclude evidence	4.5
10/22/2021	REK	Continue work on objections to Jower's extensive exhibit list	3.0
10/23/2021	REK	Continue work on objections and motion to exclude evidence	4.5
10/24/2021	REK	Continue work on objections and motion to exclude evidence re HK Expenses, Jowers's various defenses	4.5
10/27/2021	REK	Continue work on objections and motion to exclude evidence, declaration of REK in support, and proposed order, and file same [306]	4.0
11/2/2021	REK	Receive and review Order [307] denying Motion to Transfer venue	0.5
11/3/2021	REK	Prepare for and attend final pretrial conference	1.0
11/5/2021	REK	Receive and review Jowers's amended witness list [310] and outline filing in reply	1.3
11/6/2021	REK	Draft and revise reply to Jowers amended disclosures	6.5
11/7/2021	REK	File reply [311] re witness list and Jowers PTO	0.3
11/10/2021	REK	Receive and review ORDER [312] re in person trial	0.5



11/22/2021	REK	Receive and review Order [314] on Motion for Reconsideration of MSJ Order, as well as Order [315] denying motion for cert of appealability, then attend to evidence needed for added claims	3.0
11/22/2021	REK	Receive and review Motion [313] for PHV admission of K Cole	0.2
11/23/2021	REK	Draft and obtain trial declarations from DWQ witnesses re unavailability in case needed for trial	2.0
11/29/2021	REK	Note text order granting PHV admission of K Cole	0.1
12/1/2021	REK	Draft, revise, and file Motion [319] to Quash subpoena to R Sommers	3.0
12/1/2021	REK	Receive, review, and consider Notice [320] of Amended Trial Exhibits by Jowers	1.0
12/2/2021	REK	Consider objections to Jowers exhibits and draft and revise (and file) MWK Amended objections to Exhibits	4.5
12/2/2021	REK	Receive, review, and consider Jowers Motion [327] to reconsider order excluding witnesses	1.0
12/3/2021	REK	Draft and file response [329] to per Order [328] re unavailability of witnesses	5.5
12/3/2021	REK	Draft and revise Response [331] to Jowers's objections to MWK's amended designation of trial exhibits	2.0
12/3/2021	REK	Receive, review, and consider Jowers Reply [330] in support of motion [327]	1.0
12/3/2021	REK	Receive and review Orders [332] and [333] granting partial reconsideration of exclusion of witnesses and Vacating Order Quashing Sommers deposition	0.5
12/4/2021	REK	Prepare and filed revised Notice [334] of exhibit objections	3.0
12/5/2021	REK	Research re judicial notice of exchange rate cases	3.0
12/5/2021	REK	Receive and review exhibit objections of Jowers [335]	1.0
12/5/2021	REK	Trial prep in office with R Mort (5.0, no charge), review issues related to judicial notice of exchange rates and create shell motion	2.5
12/6/2021	REK	Further work on judicial notice of exchange rates, prepare and file Motion [337] for Judicial Notice of Exchange Rates	4.0
12/6/2021	REK	Trial of Case before Judge Pitman (witness - no charge)	0.0
12/7/2021	REK	Trial of Case before Judge Pitman (witness - no charge)	0.0
12/8/2021	REK	Trial of Case before Judge Pitman (witness - no charge)	0.0
12/12/2021	REK	Work on FF&CL	4.5
12/12/2021	REK	Organize Jowers declaration testimony	0.5
12/13/2021	REK	Research and review cases re choice of law and burden of proof	3.0
12/15/2021	REK	Research re new argument that HK law applied to Jowers claims	3.5
12/16/2021	REK	Research and attn to choice of law issue - prior orders, applicable law	3.0
1/11/2022	REK	Receive and begin review trial transcripts	3.0
1/11/2022	REK	Attn to mediation scheduling	0.2
1/12/2022	REK	Continue reading/noting trial transcripts	2.0
1/12/2022	REK	Create list of headings for FF&CL	1.5
1/14/2022	REK	Work on adding references and additions to FF&CL	2.0
1/15/2022	REK	Work on adding references and additions to FF&CL	4.5
1/16/2022	REK	Work on adding references and additions to FF&CL	3.5
1/19/2022	REK	Work on FF&CL (trade secrets)	3.0
1/23/2022	REK	Further work on FF&CL and memo to mediator	3.5
1/25/2022	REK	Further drafting memo to mediator re case and assembling packet of evidence	2.5
1/26/2022	REK	Attn to mediation scheduling	0.5
1/28/2022	REK	Finish pre-mediation memo for J Keel along with exhibits and send to judge keel	4.5
2/1/2022	REK	Attend mediation of case at Headliners Club before P Keel and related correspondence w mediator and R Mort afterward	8.0
2/3/2022	REK	Further work on FF&CL	2.5
2/5/2022	REK	Further work on FF&CL	3.5
2/6/2022	REK	Further work on FF&CL	5.5
2/7/2022	REK	Further work on FF&CL	7.5
2/8/2022	REK	Further work on FF&CL	8.0

[illegible]



**John Jaworski - Time Entries - MWK v. Jowers**

<b>Date</b>		<b>Description</b>	<b>Hours</b>
2017-01-09	JJ	Research and compile PDF re: <b>Evan/Robert Correspondence</b>	2.0
2017-01-10	JJ	Added additional emails from @yahoo and @evanjowers re: <b>Evan/Robert Correspondence</b> ; add Employment Agreement and Yuliya email sent on the 4th	1.5
2017-01-17	JJ	Research and compile emails into PDF re: <b>Evan's Pre-departure Emails</b>	5.0
2017-01-18	JJ	Further research re: <b>Evan's Pre-departure Emails</b> ; compile collected emails into PDF, send to R Kinney & V Ortega	3.5
2017-01-31	JJ	Clean up and send exhibits to R Kinney to V Ortega re: <b>Petition v Jowers</b>	0.5
2017-02-01	JJ	Further exhibit cleanup for V Ortega re: <b>Petition v Jowers</b>	0.5
2017-03-12	JJ	Scan signature page and finalize petition for filing re: <b>Petition v Jowers</b>	0.5
2017-03-24	JJ	Research into e-Filing re: <b>Petition v Jowers</b> ; draft email to R Kinney w/ filing concerns	0.5
2017-03-25	JJ	Review R Kinney's response re: <b>Petition v Jowers</b> filing	0.5
2017-03-27	JJ	Assist R Kinney w/ e-Filing re: <b>Petition v Jowers</b>	0.5
2017-03-31	JJ	Scan and incorporate stamped cover page into PDF re: <b>Petition v Jowers</b>	0.5
2017-06-10	JJ	Find March draft re: <b>Petition v Jowers</b> in prep for refiling; sent to R Kinney	0.5
2017-12-12	JJ	Incorporate stamped cover page into PDFs re: <b>Petition v Jowers</b>	0.5
2018-03-22	JJ	Compile exhibits into a PDF for refiling re: <b>Revised Jowers Petition</b> ; discussion w/ R Kinney re: <b>same</b> ; finalize exhibits	2.5
2018-04-02	JJ	Print out <b>Citations</b> for defendants	0.5
2018-04-25	JJ	Prepare <b>Citations</b> for Jowers & Jowers-Vargas Recruiting	0.5
2018-05-09	JJ	Attention to email from R Kinney re: ROS e-filing	0.5
2018-06-01	JJ	Pick up <b>Letter of Recommendation for R Kinney for Admission to Practice in WDTX</b> from K&S office; file <b>Motion to Appear Pro Hac Vice by R Kinney for MWK Recruiting</b> w/ the clerk at federal courthouse for WDTX	1.0
2018-06-08	JJ	Pick up <b>Letter of Recommendation for R Kinney for Admission to Practice in WDTX</b> from Shearman office	0.5
2018-06-11	JJ	Compile and send PDF re: <b>Evan/Robert Correspondence (Clean)</b> of Jowers's emails, screenshots and chats from Dec. 16	2.5
2018-06-25	JJ	Compile and send PDF of completed <b>WDTX Admission Application</b> to R Kinney	1.0
2018-06-27	JJ	Pick up check from Horizon Bank for delivery to the WDTX re: <b>WDTX Admission Application</b>	1.0
2018-08-02	JJ	Research and print out form re: <b>e-Filing Registration</b> ; send to R Kinney for review & signature	1.0
2018-08-13	JJ	Review R Kinney's email re: <b>Waiver of the Service of Summons</b>	0.5
2018-08-14	JJ	Send waiver drafts w/ concerns to R Kinney re: <b>Waiver of the Service of Summons</b>	0.5
2018-08-16	JJ	Prepare Columbia labels re: <b>Vargas Summons Package</b>	0.5
2018-08-20	JJ	Print and assemble docs re: <b>Vargas Summons Package</b>	0.5
2018-09-28	JJ	Look into whether we paid the fee re: <b>Motion for Admission Pro Hac Vice</b>	0.5
2018-10-01	JJ	Confer w/ R Kinney & R Sommers re: <b>Motion for Admission Pro Hac Vice</b>	0.5
2018-10-03	JJ	Pick up check from Horizon Bank for delivery to the WDTX re: <b>Motion for Admission Pro Hac Vice</b>	0.5
2018-10-10	JJ	Investigate PDF issues by R Kinney re: <b>Combined Jowers's Declarations</b>	1.0
2019-05-17	JJ	Compile PDF of email particulars re: <b>Jowers's Complaint</b>	2.0
2019-10-22	JJ	Dig up work done in May re: <b>Jowers's Complaint</b> ; send to R Kinney	0.5
2019-11-19	JJ	Research re: <b>5th Cir. Ct. of Appeals Admission</b> ; send application form to R Kinney for completion re: <b>same</b> ; order Certificate of Good Standing from the State Bar of Texas	1.0

## John Jaworski - Time Entries - MWK v. Jowers

Date		Description	Hours
2020-01-13	JJ	Compile spreadsheet re: <b>Jowers Emails</b> from DLA Discovery; send to R Kinney for review	2.0
2020-01-14	JJ	Review and sort docs in Dropbox re: <b>Latham Production</b>	1.5
2020-01-20	JJ	Add info on candidates to spreadsheet created by J Mufti re: <b>Jowers Contacts/Candidates</b>	2.0
2020-02-05	JJ	Review Digital WarRoom screenshots of Jowers's submissions re: <b>Latham Production</b> ; add to spreadsheet re: <b>Jowers Contacts/Candidates</b>	3.5
2020-02-06	JJ	Add info on candidates C Mao, A Chen & A Singh to spreadsheet re: <b>Jowers Contacts/Candidates</b> ; email candidate list to R Kinney re: <b>same</b>	1.5
2020-02-10	JJ	Add info on candidate M Schaeppi to spreadsheet re: <b>Jowers Contacts/Candidates</b> ; update spreadsheet re: <b>same</b> to capture additional info	1.0
2020-02-19	JJ	Attention to email correspondence between R Kinney, T Loanzon and J Bookhout re: <b>Discovery</b>	0.5
2020-03-09	JJ	Research and compile PDFs of emails re: <b>Evan Loan Detail</b> ; update spreadsheet re: <b>same</b> ; manage evidence re: <b>P Usukumah placement</b> ; update <b>Jowers Contacts/Candidates</b> spreadsheet	2.0
2020-03-10	JJ	Updates to <b>Evan Loan Detail</b> spreadsheet	1.5
2020-03-11	JJ	Attention to R Sommers email re: <b>Evan Loan Detail</b> ; call w/ R Kinney & R Sommers re: <b>same</b>	0.5
2020-03-12	JJ	Update <b>Evan Loan Detail</b> spreadsheet re: <b>Revolving Loan Tab</b>	1.0
2020-03-18	JJ	Update <b>Jowers Contacts/Candidates</b> spreadsheet re: <b>GDC Production</b>	1.0
2020-03-22	JJ	Help R Kinney sort through production in DWR	2.5
2020-03-23	JJ	Print and assemble docs re: <b>5th Cir. Brief</b>	0.5
2020-03-26	JJ	Prepare FedEx envelope and docs re: <b>Vargas Service</b>	0.5
2020-04-17	JJ	Attention to R Kinney email re: <b>Evan Loan Detail</b>	0.5
2020-05-31	JJ	Receive <b>2nd Interrogatories</b> from R Kinney; compare to <b>Jowers Contacts/Candidates</b> spreadsheet; updated spreadsheet re: <b>same</b>	4.0
2020-06-14	JJ	Sort through <b>DLA &amp; Latham production</b> in DWR; research docs Jowers didn't produce, but DLA & Latham did; forward discrepancies re: <b>Zhonghua, B Su &amp; S Kang</b>	4.0
2020-06-17	JJ	Handle emails marked as <b>AEO</b> ; create spreadsheet re: <b>same</b>	2.0
2020-06-27	JJ	Review email from R Kinney showing external submission of <b>S Kang</b> before Evan left; update <b>Jowers Contacts/Candidates</b> spreadsheet re: <b>same</b>	1.0
2020-10-21	JJ	Research firm addresses for use in <b>MWK - Second Revised Initial Disclosures</b>	1.0
2020-10-22	JJ	Update <b>MWK - Second Revised Initial Disclosures</b> doc to include individuals	1.5
2020-10-29	JJ	Research and prepare <b>ao88b</b> subpoena forms for Baker, Cleary, Gunderson, Weil, W&C, Covington, A&O and Linklaters for R Kinney's approval	3.0
2020-10-30	JJ	Serve <b>Baker &amp; McKenzie subpoena</b> , complete proof of service	1.5
2020-11-03	JJ	Attention to voicemail confirming <b>Baker &amp; McKenzie subpoena</b> service result	0.5
2020-11-12	JJ	Create binder of <b>Evan Loan Detail</b> including related emails, chats, paystubs, etc. up to Nov 30, 2016	3.0
2020-11-13	JJ	Review instructions from R Kinney and prepare <b>Letters to Subpoena Recipients</b> for Google, Bluehost, Dropbox and Endurance; attention to R Kinney email re: <b>Evan Loan Detail</b>	1.5
2020-11-24	JJ	Update <b>Jowers Contacts/Candidates</b> spreadsheet re: <b>I Weber</b> and <b>P Cham</b>	1.0
2020-12-11	JJ	Attention to email from R Kinney re: <b>Jowers Claims</b> ; research past Jowers emails re: <b>same</b>	4.0

## John Jaworski - Time Entries - MWK v. Jowers

Date		Description	Hours
2020-12-13	JJ	Email M Gardiner to track down relevant <b>Jowers Commission spreadsheets</b> ; review response and add docs to evidence	0.5
2020-12-21	JJ	Review email from R Kinney re: <b>Jowers Contacts/Candidates</b>	0.5
2021-01-07	JJ	Review email from R Kinney re: <b>Linklaters Production</b> ; update <b>Jowers Contacts/Candidates</b> spreadsheet re: <b>same</b>	0.5
2021-01-08	JJ	Update <b>Jowers Contacts/Candidates</b> spreadsheet re: <b>Linklaters production</b> ; organize <b>Dropbox Evidence</b>	3.5
2021-01-10	JJ	Update <b>Jowers Contacts/Candidates</b> spreadsheet re: <b>Invoice Dates</b>	3.0
2021-02-13	JJ	Collect <b>Full Header Versions of Jowers emails</b> and store them in <b>Dropbox Evidence</b>	2.0
2021-02-16	JJ	Review <b>Jowers' Supplemental Responses to MWK (Revised) 1st Interrogatories</b> from R Kinney; update <b>Jowers Contacts/Candidates</b> spreadsheet re: <b>same</b>	2.5
2021-02-26	JJ	Edit <b>Deposition of: Robert E. Kinney as 30(b)(6) Witness for Kinney Entities on January 25, 2021 - Designations Under Protective Order</b> document, forward to R Kinney for review	1.0
2021-03-04	JJ	Forward 2021-03-03 email from R Kinney to J Mufti w/ instructions re: <b>Mailing docs to G Zausmer at Enoch Kever</b>	0.5
2021-03-16	JJ	Research, gather and store evidence re: <b>Jowers Ownership and Control of Legis</b>	2.0
2021-03-18	JJ	Add <b>Jowers Declarations</b> that R Kinney wasn't able to add	1.0
2021-03-19	JJ	Review email from R Kinney w/ attached examples re: <b>Deposition Designations</b>	0.5
2021-03-22	JJ	Review instructions from R Kinney re: <b>Deposition Designations</b> ; use example of A Lamb designations for completing firm designations; review witness list from R Kinney; add docs re: <b>Dropbox Evidence</b>	2.5
2021-03-31	JJ	Fix PDF re: <b>WHOIS search result of <a href="http://evanjowers.com">evanjowers.com</a></b>	0.5
2021-04-29	JJ	Update spreadsheet re: <b>Jowers Contacts/Candidates</b> to add communications pre-resignation	3.5
2021-04-30	JJ	Receive instructions from R Kinney re: <b>Jowers Placements Evidence</b> ; forward doc re: <b>same</b> for review; research relevant <b>Foreign Exchange Rates</b> from the Federal Reserve website	4.5
2021-05-01	JJ	Update doc re: <b>Jowers Placements Evidence</b> to add Latham evidence R Kinney found; update <b>Deposition Designations</b>	1.0
2021-05-02	JJ	Update doc re: <b>Jowers Placements Evidence</b> ; create doc for <b>Other Jowers Citations</b> ; edit <b>Jowers Discovery Response Index</b> ; review instructions from R Kinney re: <b>Expense Report Summary Chart</b>	2.5
2021-05-03	JJ	Update <b>Expense Report Summary Chart</b> doc	2.0
2021-05-04	JJ	Coordinate w/ R Sommers to flesh out relevant details re: <b>Expense Report Summary Chart</b> ; compile evidence re: <b>Confidential Documents Under Seal</b>	3.5
2021-05-05	JJ	Update and forward <b>Expense Report Summary Chart w/ Bates</b> to R Kinney for review; print and organize <b>RFAs, RFPs and Interrogatories</b>	4.5
2021-05-06	JJ	Print and organize <b>RFAs, RFPs and Interrogatories</b>	4.0
2021-05-07	JJ	Print and organize <b>RFAs, RFPs and Interrogatories</b> ; check <b>Jowers Contacts/Candidates</b> spreadsheet for errors	3.5
2021-05-13	JJ	Check discovery re: <b>Fraud Affirmative Defenses</b>	0.5
2021-05-20	JJ	Fix references to exhibits re: <b>Findings of Fact &amp; Conclusions of Law</b> w/ updated P #s	1.0
2021-06-30	JJ	Collect and organize emails re: <b>"Burdensome", "Kirkland", "Bookhout Discovery" &amp; "Tauler Discovery"</b>	5.0
2021-07-02	JJ	Add <b>"Bookhout Discovery"</b> sent by R Kinney; further work collecting emails re: <b>"Burdensome", "Kirkland", "Bookhout Discovery" &amp; "Tauler Discovery"</b>	4.5

**John Jaworski - Time Entries - MWK v. Jowers**

<b>Date</b>		<b>Description</b>	<b>Hours</b>
2021-07-03	JJ	Add additional " <b>Bookhout Discovery</b> " sent by R Kinney	0.5
		Total	146.5

**Matthew Gardiner - Time Entries - MWK v. Jowers**

<b>Date</b>	<b>Timekeeper</b>	<b>Description</b>	<b>Time</b>
2017-05-02	MG	Research Jowers candidates pre resignation (1.0)	1.0
2017-05-09	MG	Receive email intended for Evan which shows him working w/ J Chang, check past records re same candidate, forward findings to R Kinney (.5)	0.5
2017-07-10	MG	Attn to R Kinney emails re addition of details to petition (.5)	0.5
2018-12-21	MG	Compile a list of candidates and scheduling (.5)	0.5
2018-12-22	MG	Attn to J Jaworski email re Evan's placements (.5)	0.5
2020-01-23	MG	Compile spreadsheets of Evan & Yuliya's chat histories (.5)	0.5
2020-01-28	MG	Help R Kinney break up production 002 w/ MBXSplitter.exe (.5)	0.5
2020-01-30	MG	Compile spreadsheets of Evan & Yuliya's logins and page view history (.5); help R Kinney break up production 006 w/ MBXSplitter.exe (.5)	1.0
2020-02-08	MG	Make correction to Evan & Yulia chat files, forward to R Kinney (1.0)	1.0
2020-04-30	MG	Fix spreadsheet problem re Evan's Revolving Loan (.5)	0.5
2020-06-23	MG	Attn, respond to R Kinney & J Jaworski email correspondence re candidate email activity in Salesforce (.5)	0.5
2020-10-21	MG	Respond to R Kinney re P Gutensohn chat history involving Evan (.5); compile and forward PDF and ZIP re same (1.0)	1.5
2020-11-15	MG	Attn, respond to R Kinney re commission spreadsheet question (.5)	0.5
2020-12-02	MG	Research 2012 email re employment agreement visa (.5); forward relevant data to R Kinney re same (1.0)	0.5
2020-12-13	MG	Gather and send Evan's relevant commission reports to J Jaworski & R Kinney (1.0)	1.0
2020-12-30	MG	Assemble PDFs of evidence re commission spreadsheets, put in dropbox (1.5)	1.5
2021-10-15	MG	Attn to R Kinney email asking about backups re exhibits (.5)	0.5
2021-11-18	MG	Update spreadsheets and answer questions from R Kinney re Evan & Yuliya's chat histories (1.0)	1.0
		<b>Total</b>	<b>13.5</b>

**Expenses - MWK v. Jowers**

<b>Date</b>	<b>Description</b>	<b>Payee</b>	<b>Amount</b>
2018-04-25	Service of Process on Evan Jowers, Service of Process on Jowers-Vargas Recruiting (\$125 each, including only Jowers service charge)	Courtesy Services	\$125.00
2018-04-26	Service of Process on Evan Jowers (completion payment to process server)	Courtesy Services	\$100.00
2019-11-25	Certified Mail Return Receipt - DLA	USPS	\$21.19
2019-11-25	Certified Mail Return Receipt - GDC	USPS	\$21.19
2019-11-25	Certified Mail Return Receipt - Kirkland	USPS	\$21.19
2019-11-25	Certified Mail Return Receipt - Latham	USPS	\$21.07
2019-11-25	Certified Mail Return Receipt - MoFo	USPS	\$21.79
2019-11-25	Certified Mail Return Receipt - Skadden	USPS	\$21.07
2020-02-29	Digital WarRoom - February 2020 Service	DWR	\$275.00
2020-03-31	Digital WarRoom - March 2020 Service	DWR	\$383.13
2020-04-17	Service of Process - subpoena to Cooley agent for service in Austin	Sparre Process Serving, LLC	\$70.00
2020-04-30	Digital WarRoom - April 2020 Service	DWR	\$324.75
2020-05-31	Digital WarRoom - May 2020 Service	DWR	\$326.88
2020-06-30	Digital WarRoom - June 2020 Service	DWR	\$270.63
2020-07-31	Digital WarRoom - July 2020 Service	DWR	\$287.78
2020-08-31	Digital WarRoom - August 2020 Service	DWR	\$286.05
2020-09-30	Digital WarRoom - September 2020 Service	DWR	\$376.33
2020-10-30	Certified Mail Return Receipt - A&O	USPS	\$16.47
2020-10-30	Certified Mail Return Receipt - Covington	USPS	\$16.47
2020-10-30	Certified Mail Return Receipt - Gunderson	USPS	\$16.47
2020-10-30	Certified Mail Return Receipt - Linklaters	USPS	\$16.47
2020-10-30	Certified Mail Return Receipt - Weil	USPS	\$16.47
2020-10-30	Certified Mail Return Receipt - W&C	USPS	\$16.47
2020-10-31	Digital WarRoom - October 2020 Service	DWR	\$270.63
2020-11-04	Certified Mail Return Receipt - Cleary	USPS	\$21.92
2020-11-13	Certified Mail Return Receipt - Bluehost	USPS	\$9.13
2020-11-13	Certified Mail Return Receipt - Dropbox	USPS	\$9.13
2020-11-13	Certified Mail Return Receipt - Endurance Int'l Group	USPS	\$9.13
2020-11-13	Certified Mail Return Receipt - Google (NA)	USPS	\$9.13
2020-11-30	Digital WarRoom - November 2020 Service	DWR	\$375.38
2020-12-22	Peter Gutensohn Deposition - Transcript	Milestone Reporting Company	\$440.60
2020-12-30	Certified Mail Return Receipt - Cleary	USPS	\$13.23
2020-12-30	Certified Mail Return Receipt - Covington	USPS	\$17.27
2020-12-31	Digital WarRoom - December 2020 Service	DWR	\$384.56
2021-01-19	Transcript - Stacy Glover (Gibson Dunn)	Planet Depos	\$440.20
2021-01-19	Transcript - William Pruitt (Kirkland)	Planet Depos	\$437.40
2021-01-19	Transcript - Alexis Lamb	Planet Depos	\$1,970.00
2021-01-19	Video Conferencing - Alexis Lamb	Planet Depos	\$2,763.50
2021-01-26	Transcript - Edward Zulkey (Baker McKenzie)	Planet Depos	\$439.80
2021-01-31	Digital WarRoom - January 2021 Service	DWR	\$407.73
2021-02-09	Transcript - Lawrence Friedman (Cleary)	Planet Depos	\$435.00
2021-02-09	Transcript - Lauren Haberman (Skadden), Ann Mooney (Cooley), Stephen Anthony (Covington)	Planet Depos	\$498.05
2021-02-18	Transcript - Douglas Lynn Hendricks (MoFo)	Planet Depos	\$435.40
2021-02-18	Transcript - Jane Rhee (Gunderson)	Planet Depos	\$445.80
2021-02-28	Digital WarRoom - February 2021 Service	DWR	\$697.25
2021-03-04	Transcript - Anthony Phillip Chute (Linklaters)	Planet Depos	\$443.00
2021-03-04	Transcript - Karen O'Shea (A&O)	Planet Depos	\$435.50
2021-03-06	Transcript - Stacy Silverstone (DLA)	Planet Depos	\$202.30



<b>Expenses - MWK v. Jowers</b>			
<b>Date</b>	<b>Description</b>	<b>Payee</b>	<b>Amount</b>
2021-03-06	Transcript - Christian Gillis (Weil)	Planet Depos	\$241.50
2021-03-16	Court Reporting for Renee Sommers Deposition	Kim Tindall & Associates, LLC	\$732.50
2021-03-31	Digital WarRoom - March 2021 Service	DWR	\$404.75
2021-04-30	Digital WarRoom - April 2021 Service	DWR	\$404.75
2021-05-31	Digital WarRoom - May 2021 Service	DWR	\$404.75
2021-06-30	Digital WarRoom - June 2021 Service	DWR	\$50.00
2021-07-31	Digital WarRoom - July 2021 Service	DWR	\$54.13
2021-08-31	Digital WarRoom - August 2021 Service	DWR	\$50.00
2021-09-30	Digital WarRoom - September 2021 Service	DWR	\$452.27
2021-10-31	Digital WarRoom - October 2021 Service	DWR	\$270.63
2021-12-31	Digital WarRoom - December 2021 Service	DWR	\$54.13
2022-01-11	Court Reporter - Transcripts	USDC WDTX	\$1,633.00
2022-02-28	Digital WarRoom - February 2022 Service	DWR	\$50.00
2022-03-31	Digital WarRoom - March 2022 Service	DWR	\$50.00
		<b>Total:</b>	<b>\$19,515.32</b>

Filing # 158144182 E-Filed 09/26/2022 03:48:21 PM

IN THE CIRCUIT COURT OF THE EIGHTH JUDICIAL CIRCUIT  
IN AND FOR ALACHUA COUNTY, FLORIDA  
GAINESVILLE DIVISION

CASE No:

EVAN JOWERS,

**Jury Trial Demanded.**

Plaintiff,

v.

ROBERT E. KINNEY, and  
MWK RECRUITING, INC.

Defendants.

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**COMPLAINT**

EVAN JOWERS ("Plaintiff") brings suit against ROBERT E. KINNEY ("Kinney") and MWK RECRUITING, INC. (the "Creditor" and when collectively referred to with Kinney, the "Defendants"), and alleges:

**JURISDICTION AND VENUE**

1. This Court has subject matter jurisdiction pursuant to section 34.01(1)(c)(2), Florida Statutes. The matter in controversy exceeds the sum or value of \$30,000 exclusive of costs, interest, and attorneys' fees. § 34.01, Fla. Stat.

2. Defendants are subject to personal jurisdiction in Florida because they directed their tortious communications into the State of Florida. *See* § 48.193(1)(a)(2), Fla. Stat. In addition, Defendants are subject to personal

jurisdiction in Florida because, at all material times, they have “engaged in solicitation or service activities” within this State by way of their continued and uninterrupted legal recruiting services that they provide in the State of Florida. § 48.193(1)(A)(6), Fla. Stat.; *see* Kinney Recruiting, *Miami Legal Recruiters*, <https://www.kinneyrecruiting.com/miami/recruiters/> (Last visited Sep. 26, 2022) (Defendants bring “years of staffing and recruitment experience to the Miami attorney placement industry. [They] have developed extensive relationships with law firms throughout South Florida which translate into the ability to place more candidates in their ideal legal jobs.”).

3. Venue for this action is proper in this Court pursuant to section 47.011, Florida Statutes, because Defendants are not residents of the State of Florida.

#### **THE PARTIES**

4. Plaintiff is, and at all times relevant hereto was, a citizen and resident of the State of Florida.

5. Plaintiff is an alleged “debtor” as defined by section 559.55(8), Florida Statutes.

6. Kinney is, and at all times relevant hereto was, a citizen of the State of Texas.

7. Kinney is a “person” as contemplated by section 559.72, Florida Statutes.

8. Creditor is, and at all times relevant hereto was, a foreign corporation and a “creditor” as defined by section 559.55(5), Florida Statutes.

## FACTS

9. On or about February 1, 2012, Plaintiff entered into a Forgivable Loan Agreement and Promissory Note (the “Forgivable Loan”) with Creditor.

10. On or about December 29, 2012, Plaintiff, Creditor and Plaintiff entered into a Loan Agreement and Promissory Note (the “Revolving Loan” and collectively with the Forgivable Loan, the “Loans”).

11. Plaintiff has disputed that he owes an alleged debt stemming from the Loans, which was the subject of a bench trial.

12. On or about September 15, 2022, Creditor obtained a judgment against Plaintiff stemming from the Loans. Plaintiff continues to dispute that he owes Creditor any sum of money stemming from the Loans, and he is appealing the judgment.

13. On or about September 22, 2022, at 4:28 p.m., Defendants sent the following communication<sup>1</sup> (the “First Email”) to Plaintiff to collect the judgment:

It’s my understanding from various sources that Evan’s flushing his cash already. **When I start seizing new Audi Q-series cars that he just gifted his mother, for example, it’s going to get real for him, if not sooner.** I don’t know why he thinks I will not do that.

I need \$200,000 if he wants any sort of stay.

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<sup>1</sup> “Communication” means the conveying of information regarding a debt directly or indirectly to any person through any medium. § 559.55, Fla. Stat.

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(emphasis added).

14. On or about September 22, 2022, at 5:14 p.m. Defendants sent the following communication (the “Second Email”) to Plaintiff to collect the judgment:

Kevin, I realize I may be sounding too nice here. We just offered a reasonable settlement and Evan’s response was to go buy a \$90K car and brag about it on Facebook. I guess I should express my intentions more clearly. **Let Evan know** that this and a lot of the other stuff I know he is doing right now to flush cash qualifies as fraudulent transfers. I’m going to subpoena all his records, including his email and phone, which you won’t be able to stop me from getting. **I will find out what all those transfers are, and as far as the car goes, I’m going to have the sheriff take that car away from his mom while she is watching with someone there to videotape the scene and then I’m going to put it on Youtube and send it to all to see that I did it. I’m coming after his wife’s mink coat that he spent \$20K on, his bank accounts, everything. I’m not going to get played by this joker any more. He needs to pay up. I will literally spend the rest of my life or his coming after his business.** When he runs to a foreign country, I’ll get the court to let me force placement fees he might have any connection to into the registry of the court to be sorted out later. **I’ll take his trademarks, I’ll take his website, and I’ll take his used dental floss.** Running from this problem is NOT going to work. **Please do your best to get this across.** Many thanks.

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(emphasis added).

15. On or about September 22, 2022, at 6:43 p.m., Defendants sent the following communication (the “Third Email”) to Plaintiff:

Take my word for it this time - it's a nice, brown Q5 or Q7, I think. Mom looks very happy in the photo. **I'm not sure if Evan realizes that having his mom participate in a fraudulent transfer to defraud a Texas creditor will subject her to specific personal jurisdiction in Texas, ending up in seizure of that car and whatever else he's giving her.** Someone needs to convince him to stop the games.

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(emphasis added).

16. Defendants' tortious communications described *supra* have caused Plaintiff harm including, but not limited to: violations of his statutory rights, statutory damages, has subjected him to annoyance, stress, and disruption of his peace, has bizarrely invaded his family's privacy, has made him incredibly concerned for his family's privacy and wellbeing, has invaded his own privacy and caused him to be concerned for his own wellbeing, and caused a nuisance. Defendants' tortious communications are continuing in nature and will result in a multiplicity of suits and further injury to Plaintiff of a nature that cannot be adequately compensated by money damages.

17. Kinney's and Creditors actions alleged in paragraphs 6 – 16 constitute three temporally separate and unlawful attempts to enforce an alleged debt.



**COUNT I**  
**AGAINST KINNEY**  
**Violation of the Florida Consumer Collections Practices Act**

18. Plaintiff incorporates by reference and re-alleges paragraphs 1 through 17 as if fully set forth herein.

19. As to the First Email, Plaintiff brings this action against Kinney seeking injunctive relief, statutory and actual damages, costs, and attorneys' fees for its violations of the Florida Consumer Collections Practices Act, Chapter 559, Part VI, Fla. Stat. ("FCCPA").

20. The Florida Legislature enacted laws, specifically the FCCPA, to protect the consuming public from unlawful debt collection practices.

21. The applicable statute outlines and enumerates some of the proscribed conduct. *See* § 559.72, Fla. Stat. The FCCPA states that in collecting consumer debts, no person shall:

Use profane, obscene, vulgar, or **willfully abusive language** in communicating with the debtor or any member of her or his family.

Claim, attempt, or threaten to enforce a debt when such person knows that the debt is not legitimate, or **assert the existence of some other legal right when such person knows that the right does not exist.**

22. For reasons stated *supra*, Kinney violated sections 559.72(8) and (9), Florida Statutes.

23. The FCCPA was enacted to protect consumers from creditors and debt collectors who seek to collect debts through illegal means of threats, intimidation, and coercion.

24. Kinney claimed that Plaintiff owed a “debt” as that phrase is defined by section 559.55(6), Florida Statutes.

25. Kinney is a “person” within the meaning of section 559.72, Florida Statutes.

26. The collection practices of Kinney described *supra* violate the FCCPA, section 559.55, Florida Statutes, *et seq.*

27. As a result of the above-referenced violations of the FCCPA, Plaintiff has been, and continues to be subjected to unwarranted and illegal collection activities and, therefore, has been harmed.

28. As a result of the above-referenced violations of the FCCPA, Plaintiff has been, and continues to be subjected to unwarranted and illegal collection activities and, therefore, has been harmed.

29. Plaintiff has retained the law firm of Zermay Law, P.A. to represent him in this action.

30. Pursuant to section 559.77(2), Florida Statute, Plaintiff seeks an award of actual damages and for additional statutory damages as the court may allow, but not less than \$1,000, together with court costs and reasonable attorney’s fees incurred by Plaintiff.

31. Plaintiff further seeks a final order permanently enjoining Kinney from further violations of the FCCPA pursuant to section 559.77(2), Florida Statutes.

**COUNT II**  
**AGAINST KINNEY**  
**Violation of the Florida Consumer Collections Practices Act**

32. Plaintiff incorporates by reference and re-alleges paragraphs 1 through 17 as if fully set forth herein.

33. As to the Second Email, Plaintiff brings this action against Kinney seeking injunctive relief, statutory and actual damages, costs, and attorneys' fees for its violations of the Florida Consumer Collections Practices Act, Chapter 559, Part VI, Fla. Stat. ("FCCPA").

34. The Florida Legislature enacted laws, specifically the FCCPA, to protect the consuming public from unlawful debt collection practices.

35. The applicable statute outlines and enumerates some of the proscribed conduct. *See* § 559.72, Fla. Stat. The FCCPA states that in collecting consumer debts, no person shall:

Tell a debtor **who disputes a consumer debt** that she or he or any person employing her or him **will disclose to another, orally or in writing, directly or indirectly, information affecting the debtor's reputation for credit worthiness without also informing the debtor that the existence of the dispute will also be disclosed as required by subsection (6).**

Use profane, obscene, vulgar, or **willfully abusive language** in communicating with the debtor or any member of her or his family.

Claim, attempt, or threaten to enforce a debt when such person knows that the debt is not legitimate, or **assert the existence of some other legal right when such person knows that the right does not exist.**

Publish or post, **threaten to publish or post**, or cause to be published or posted **before the general public individual names** or any list of names of debtors, commonly known as a deadbeat list, for the purpose of enforcing or attempting to enforce collection of consumer debts.

36. For reasons stated *supra*, Kinney violated sections 559.72(3), (8), (9), and (14), Florida Statutes.

37. The FCCPA was enacted to protect consumers from creditors and debt collectors who seek to collect debts through illegal means of threats, intimidation, and coercion.

38. Kinney claimed that Plaintiff owed a “debt” as that phrase is defined by section 559.55(6), Florida Statutes.

39. Kinney is a “person” within the meaning of section 559.72, Florida Statutes.

40. The collection practices of Kinney described *supra* violate the FCCPA, section 559.55, Florida Statutes, *et seq.*

41. As a result of the above-referenced violations of the FCCPA, Plaintiff has been, and continues to be subjected to unwarranted and illegal collection activities and, therefore, has been harmed.

42. As a result of the above-referenced violations of the FCCPA, Plaintiff has been, and continues to be subjected to unwarranted and illegal collection activities and, therefore, has been harmed.

43. Plaintiff has retained the law firm of Zermay Law, P.A. to represent him in this action.

44. Pursuant to section 559.77(2), Florida Statute, Plaintiff seeks an award of actual damages and for additional statutory damages as the court may allow, but not less than \$1,000, together with court costs and reasonable attorney's fees incurred by Plaintiff.

45. Plaintiff further seeks a final order permanently enjoining Kinney from further violations of the FCCPA pursuant to section 559.77(2), Florida Statutes.

**COUNT III**  
**AGAINST KINNEY**  
**Violation of the Florida Consumer Collections Practices Act**

46. Plaintiff incorporates by reference and re-alleges paragraphs 1 through 17 as if fully set forth herein.

47. As to the Third Email, Plaintiff brings this action against Kinney seeking injunctive relief, statutory and actual damages, costs, and attorneys' fees for its violations of the FCCPA.

48. The Florida Legislature enacted laws, specifically the FCCPA, to protect the consuming public from unlawful debt collection practices.

49. The applicable statute outlines and enumerates some of the proscribed conduct. *See* § 559.72, Fla. Stat. The FCCPA states that in collecting consumer debts, no person shall:

Willfully communicate with the debtor or any member of her or his family with such frequency as can reasonably be expected to harass the debtor or her or his family, or willfully engage in other conduct which can reasonably be expected to abuse or harass the debtor or any member of her or his family.

Use profane, obscene, vulgar, or **willfully abusive language** in communicating with the debtor or any member of her or his family.

Claim, attempt, or threaten to enforce a debt when such person knows that the debt is not legitimate, or **assert the existence of some other legal right when such person knows that the right does not exist.**

50. For reasons stated *supra*, Kinney violated section 559.72(7), (8), and (9) Florida Statutes.

51. The FCCPA was enacted to protect consumers from creditors and debt collectors who seek to collect debts through illegal means of threats, intimidation, and coercion.

52. Kinney claimed that Plaintiff owed a “debt” as that phrase is defined by section 559.55(6), Florida Statutes.

53. Kinney is a “person” within the meaning of sections 559.72, Florida Statutes.

54. The collection practices of Kinney described *supra* violate the FCCPA, section 559.55, Florida Statutes, *et seq.*



55. As a result of the above-referenced violations of the FCCPA, Plaintiff has been, and continues to be subjected to unwarranted and illegal collection activities and, therefore, has been harmed.

56. As a result of the above-referenced violations of the FCCPA, Plaintiff has been, and continues to be subjected to unwarranted and illegal collection activities and, therefore, has been harmed.

57. Plaintiff has retained the law firm of Zermay Law, P.A. to represent him in this action.

58. Pursuant to section 559.77(2), Florida Statute, Plaintiff seeks an award of actual damages and for additional statutory damages as the court may allow, but not less than \$1,000, together with court costs and reasonable attorney's fees incurred by Plaintiff.

59. Plaintiff further seeks a final order permanently enjoining Defendant from further violations of the FCCPA pursuant to section 559.77(2), Florida Statutes.

**COUNT IV**  
**AGAINST CREDITOR**  
**Violation of the Florida Consumer Collections Practices Act**

60. Plaintiff incorporates by reference and re-alleges paragraphs 1 through 17 as if fully set forth herein.

61. As to the First Email, Plaintiff brings this action against Creditor seeking injunctive relief, statutory and actual damages, costs, and attorneys' fees for its violations of the FCCPA.

62. The Florida Legislature enacted laws, specifically the FCCPA, to protect the consuming public from unlawful debt collection practices.

63. The applicable statute outlines and enumerates some of the proscribed conduct. *See* § 559.72, Fla. Stat. The FCCPA states that in collecting consumer debts, no person shall:

Use profane, obscene, vulgar, or **willfully abusive language** in communicating with the debtor or any member of her or his family.

Claim, attempt, or threaten to enforce a debt when such person knows that the debt is not legitimate, or **assert the existence of some other legal right when such person knows that the right does not exist.**

64. For reasons stated *supra*, Kinney violated sections 559.72(8) and (9), Florida Statutes.

65. The FCCPA was enacted to protect consumers from creditors and debt collectors who seek to collect debts through illegal means of threats, intimidation, and coercion.

66. Creditor claimed that Plaintiff owed a "debt" as that phrase is defined by section 559.55(6), Florida Statutes.

67. Creditor is a "creditor" within the meaning of sections 559.55(5), Florida Statutes.

68. The collection practices of Creditor described *supra* violate the FCCPA, section 559.55, Florida Statutes, *et seq.*

69. As a result of the above-referenced violations of the FCCPA, Plaintiff has been, and continues to be subjected to unwarranted and illegal collection activities and, therefore, has been harmed.

70. As a result of the above-referenced violations of the FCCPA, Plaintiff has been, and continues to be subjected to unwarranted and illegal collection activities and, therefore, has been harmed.

71. Plaintiff has retained the law firm of Zermay Law, P.A. to represent him in this action.

72. Pursuant to section 559.77(2), Florida Statute, Plaintiff seeks an award of actual damages and for additional statutory damages as the court may allow, but not less than \$1,000, together with court costs and reasonable attorney's fees incurred by Plaintiff.

73. Plaintiff further seeks a final order permanently enjoining Creditor from further violations of the FCCPA pursuant to section 559.77(2), Florida Statutes.

**COUNT V**  
**AGAINST CREDITOR**  
**Violation of the Florida Consumer Collections Practices Act**

74. Plaintiff incorporates by reference and re-alleges paragraphs 1 through 17 as if fully set forth herein.

75. As to the Second Email, Plaintiff brings this action against Creditor seeking injunctive relief, statutory and actual damages, costs, and attorneys' fees for its violations of the FCCPA.

76. The Florida Legislature enacted laws, specifically the FCCPA, to protect the consuming public from unlawful debt collection practices.

77. The applicable statute outlines and enumerates some of the proscribed conduct. *See* § 559.72, Fla. Stat. The FCCPA states that in collecting consumer debts, no person shall:

Tell a debtor **who disputes a consumer debt** that she or he or any person employing her or him **will disclose to another, orally or in writing, directly or indirectly, information affecting the debtor's reputation for credit worthiness without also informing the debtor that the existence of the dispute will also be disclosed as required by subsection (6).**

Use profane, obscene, vulgar, or **willfully abusive language** in communicating with the debtor or any member of her or his family.

Claim, attempt, or threaten to enforce a debt when such person knows that the debt is not legitimate, or **assert the existence of some other legal right when such person knows that the right does not exist.**

Publish or post, **threaten to publish or post**, or cause to be published or posted **before the general public individual names** or any list of names of debtors, commonly known as a deadbeat list, for the purpose of enforcing or attempting to enforce collection of consumer debts.

78. For reasons stated *supra*, Creditor violated sections 559.72(3), (8), (9) and (14), Florida Statutes.

79. The FCCPA was enacted to protect consumers from creditors and debt collectors who seek to collect debts through illegal means of threats, intimidation, and coercion.

80. Creditor claimed that Plaintiff owed a “debt” as that phrase is defined by section 559.55(6), Florida Statutes.

81. Creditor is a “creditor” within the meaning of sections 559.55(5), Florida Statutes.

82. The collection practices of Creditor described *supra* violate the FCCPA, section 559.55, Florida Statutes, *et seq.*

83. As a result of the above-referenced violations of the FCCPA, Plaintiff has been, and continues to be subjected to unwarranted and illegal collection activities and, therefore, has been harmed.

84. As a result of the above-referenced violations of the FCCPA, Plaintiff has been, and continues to be subjected to unwarranted and illegal collection activities and, therefore, has been harmed.

85. Plaintiff has retained the law firm of Zermay Law, P.A. to represent him in this action.

86. Pursuant to section 559.77(2), Florida Statute, Plaintiff seeks an award of actual damages and for additional statutory damages as the court may allow, but not less than \$1,000, together with court costs and reasonable attorney’s fees incurred by Plaintiff.

Plaintiff further seeks a final order permanently enjoining Creditor from further violations of the FCCPA pursuant to section 559.77(2), Florida Statutes.

**COUNT VI**  
**AGAINST CREDITOR**  
**Violation of the Florida Consumer Collections Practices Act**

87. Plaintiff incorporates by reference and re-alleges paragraphs 1 through 17 as if fully set forth herein.

88. As to the Third Email, Plaintiff brings this action against Kinney seeking injunctive relief, statutory and actual damages, costs, and attorneys' fees for its violations of the FCCPA.

89. The Florida Legislature enacted laws, specifically the FCCPA, to protect the consuming public from unlawful debt collection practices.

90. The applicable statute outlines and enumerates some of the proscribed conduct. *See* § 559.72, Fla. Stat., wherein the law states in collecting consumer debts, no person shall:

Willfully communicate with the debtor or any member of her or his family with such frequency as can reasonably be expected to harass the debtor or her or his family, or willfully engage in other conduct which can reasonably be expected to abuse or harass the debtor or any member of her or his family.

Use profane, obscene, vulgar, or **willfully abusive language** in communicating with the debtor or any member of her or his family.

Claim, attempt, or threaten to enforce a debt when such person knows that the debt is not legitimate, or **assert the existence of**



**some other legal right when such person knows that the right does not exist.**

91. For reasons stated *supra*, Creditor violated sections 559.72(7), (8), and (9), Florida Statutes.

92. The FCCPA was enacted to protect consumers from creditors and debt collectors who seek to collect debts through illegal means of threats, intimidation, and coercion.

93. Creditor claimed that Plaintiff owed a “debt” as that phrase is defined by section 559.55(6), Florida Statutes.

94. Creditor is a “creditor” within the meaning of sections 559.55(5), Florida Statutes.

95. The collection practices of Creditor described *supra* violate the FCCPA, section 559.55, Florida Statutes, *et seq.*

96. As a result of the above-referenced violations of the FCCPA, Plaintiff has been, and continues to be subjected to unwarranted and illegal collection activities and, therefore, has been harmed.

97. As a result of the above-referenced violations of the FCCPA, Plaintiff has been, and continues to be subjected to unwarranted and illegal collection activities and, therefore, has been harmed.

98. Plaintiff has retained the law firm of Zermay Law, P.A. to represent him in this action.

99. Pursuant to section 559.77(2), Florida Statute, Plaintiff seeks an award of actual damages and for additional statutory damages as the court may allow, but not less than \$1,000, together with court costs and reasonable attorney's fees incurred by Plaintiff.

100. Plaintiff further seeks a final order permanently enjoining Creditor from further violations of the FCCPA pursuant to section 559.77(2), Florida Statutes.

**PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiff prays for the following relief:

- a. That a final judgment be entered against ROBERT E. KINNEY for Plaintiff's actual damages and for additional statutory damages as the court may allow, but not less than \$3,000, together with court costs and reasonable attorney's fees incurred by Plaintiff, pursuant to section 559.77(2), Florida Statutes;
- b. That a final judgment be entered against ROBERT E. KINNEY permanently enjoining him from further violations of the Florida Consumer Collections Practices Act, Chapter 559, Part VI, Florida Statutes; pursuant to section 559.77(2), Florida Statutes;

- c. That a final judgment be entered against ROBERT E. KINNEY which awards Plaintiff his attorneys' fees and costs pursuant to section 559.77(2), Florida Statutes;
- d. That a final judgment be entered against MWK RECRUITING, INC. for Plaintiff's actual damages and for additional statutory damages as the court may allow, but not less than \$3,000, together with court costs and reasonable attorney's fees incurred by Plaintiff, pursuant to section 559.77(2), Florida Statutes;
- e. That a final judgment be entered against MWK RECRUITING, INC. permanently enjoining it from further violations of the Florida Consumer Collections Practices Act, Chapter 559, Part VI, Florida Statutes; pursuant to section 559.77(2), Florida Statutes;
- f. That a final judgment be entered against MWK RECRUITING, INC. which awards Plaintiff his attorneys' fees and costs pursuant to section 559.77(2), Florida Statutes;
- g. Leave of Court to amend the Complaint to add a claim for punitive damages pursuant to section 768.72(1), Florida Statutes;

- h. That ROBERT E. KINNEY and MWK RECRUITING, INC. take nothing; and
- i. Such further and other relief that the Court deems necessary.

**JURY DEMAND**

Plaintiff hereby demands a trial by jury.


**DOCUMENT PRESERVATION DEMAND**

Plaintiff demands that Defendants take affirmative steps to preserve all, call logs, evidence, videos, records, lists, documents, and electronic databases.

DATED: September 26, 2022

Respectfully Submitted,

**ZERMAY LAW, P.A.**

  
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*Attorney for Plaintiff*